



Environment and  
Climate Change Canada

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Changement climatique Canada



# **Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations**

## **User Guide**

**Canada**

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## Background

In Canada, all three levels of government contribute to environmental protection and have a role to play in managing hazardous waste and hazardous recyclable material.

- Municipal governments manage the collection, recycling, composting, and disposal programs within their jurisdictions.
- Provincial and territorial governments establish measures and criteria for licensing hazardous waste generators, carriers, as well as treatment and disposal facilities, in addition to controlling movements of waste within their jurisdictions.
- The Federal Government regulates transboundary movements of hazardous waste and hazardous recyclable material, in addition to negotiating international agreements.

Canada implements the terms of international agreements to which it is a party through domestic regulations, under the authority of the *Canadian Environmental Protection Act, 1999* (CEPA). Canada is party to three international agreements regarding the transboundary movement of hazardous waste and hazardous recyclable material:

- the United Nations Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal;
- the Organisation for Economic Co-operation and Development (OECD) Decision C(2001)107/Final of Council Concerning the Revision of Decision C(92)39/Final on the Control of Transboundary Movements of Wastes Destined for Recovery Operations ; and
- the Canada-USA Agreement Concerning the Transboundary Movement of Hazardous Wastes.

In signing these international agreements, Canada made a commitment to develop national legislation to promote the environmentally sound management of hazardous waste and hazardous recyclable material to protect the environment and human health from the risks posed by transboundary movement of waste and recyclable material. This led to the development of regulations, which came into force on November 26, 1992, under the former *Canadian Environmental Protection Act*. The current *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations* (EIHWHRMR or the Regulations), made pursuant to CEPA 1999, revoked and replaced the 1992 regulations in November 2005.

## **1.0 Introduction**

### ***What is the purpose of this guide?***

The *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations User Guide* (hereafter referred to as EIHWHRMR User Guide) is designed to help people who are involved in international movements of hazardous waste and hazardous recyclable material in Canada understand and implement the requirements of the Regulations. It will be useful to anyone who generates, handles, transports, exports, imports, treats, recycles, stores, or disposes of hazardous waste or hazardous recyclable material where international shipments are involved.

### ***How do I use this guide?***

This guide is divided into 17 sections, each dealing with a different aspect of the Regulations. Each section provides answers to the most common questions about the various provisions of the Regulations; however, in the event of a discrepancy between this guide and the Regulations, the Regulations always take precedence.

## **2.0 General Information**

### **2.1 What is the purpose of the Regulations?**

The purpose of the Regulations is to:

- ensure that hazardous waste and hazardous recyclable material that are transported across Canadian international borders (to be exported, imported, or to transit through Canada) are managed appropriately to protect the environment and human health, and
- implement Canada's international obligations with respect to the transboundary movement of hazardous waste and hazardous recyclable material.

The Regulations set out the conditions for the export, import, and transit of hazardous waste and hazardous recyclable material shipped across the Canadian border. This helps to ensure that shipments of waste and recyclable material entering into, leaving, or passing through Canada can be controlled and tracked by Environment and Climate Change Canada, in collaboration with other government agencies.

The Regulations also ensure that the import and transit countries have consented to the transboundary movement before any shipment takes place. Not every country considers the same types of waste or recyclable materials to be

hazardous. Provinces and territories in Canada may also have different definitions for what they consider to be hazardous waste or hazardous recyclable material. Anyone who arranges the shipment of any type of waste or recyclable material **should first verify if it is considered to be hazardous in Canada**. With respect to exports, imports or transits through Canada please consult the Guide to Classification for more information. Also, in situations where the waste or recyclable material may be exported, one should determine if the countries to which the waste or recyclable material will be exported and through which the waste or recyclable material will transit have national laws that in any way prohibit, restrict, or control the import or transit of the waste or material. Again, please consult the Guide to Classification for more information.

## **2.2 How do the Regulations and CEPA work together?**

CEPA provides the authority to enact regulations governing the export, import, and transit of hazardous waste and hazardous recyclable material. It also includes a number of provisions for the transboundary movement of hazardous waste and hazardous recyclable material. The provisions under CEPA and those in the Regulations need to be read and applied together as a whole in order to ensure compliance.

The Regulations are administered by the Waste Reduction and Management Division (WRMD) of Environment and Climate Change Canada:

Waste Reduction and Management Division  
Environment and Climate Change Canada  
Place Vincent Massey  
351 St-Joseph, 9<sup>th</sup> Floor  
Gatineau QC K1A 0H3  
ec.notification.ec@canada.ca

## **2.3 What are the main requirements set out in the Act and the Regulations for exports, imports and transits of hazardous waste and hazardous recyclable material?**

Section 185 of CEPA requires that anyone who exports, imports or conveys hazardous waste or hazardous recyclable material in transit must notify the Minister and obtain a permit before the movement can take place. An international movement can consist of an export from Canada, an import into Canada, a transit through Canada, or a transit through a country other than Canada.

The notification requirements are set out in the Regulations, and include such information as:

- the nature and quantity of the hazardous waste or hazardous recyclable material involved,

- the addresses and sites of the exporters, importers, and carriers,
- the proposed disposal or recycling operations for the hazardous waste or hazardous recyclable material,
- written contracts between the exporters and importers, and
- insurance coverage information.

Once all of the notification requirements set out in the Regulations are met, Environment and Climate Change Canada notifies the authorities in the jurisdiction of destination, as well as competent authorities of transit countries if applicable. If any of those authorities objects to the proposed shipment, the shipment cannot proceed. If all authorities consent and if all criteria have been met, Environment and Climate Change Canada will issue the requested permit.

Every shipment of hazardous waste or hazardous recyclable material must be accompanied by a copy of the **movement document and permit** (and any other relevant documents), and must be shipped according to the requirements set out in both the Regulations and the *Transportation of Dangerous Goods Regulations* (TDGR). The appropriate documents must also be provided to the Canada Border Services Agency.

The Canadian importer or Canadian exporter of the hazardous waste or hazardous recyclable material must return a completed copy of the movement document to Environment and Climate Change Canada within three working days of the delivery of a shipment. The disposal or recycling must take place within the time specified in the Regulations, and the Canadian importer or Canadian exporter must, within 30 days of this operation, provide Environment and Climate Change Canada with a written, dated and signed confirmation indicating that it has been completed in accordance with the permit and in a manner that protects to environment and human health.

| Timeline Requirements                                                                       |                                                  |
|---------------------------------------------------------------------------------------------|--------------------------------------------------|
| Informing ECCC of delivery of shipment                                                      | within 3 working days after delivery             |
| Completing the disposal or recycling operation                                              | within timeline specified in the Regulations     |
| Providing ECCC with a confirmation of the completion of the disposal or recycling operation | within 30 days after completion of the operation |

The regulations also include requirements with respect to liability insurance coverage that must be held by the exporter, importer or carriers as well as requirements related to alternative arrangements that may be made or related to the return or take-back of waste or recyclable material that cannot be disposed of or recycled in accordance with the permit or that is refused by the competent authority of the country of import.

## 2.4 How are the Regulations set up?

The Regulations are divided into six parts:

- **Part I** – general provisions regarding the notice
- **Part II** – conditions for exports
- **Part III** – conditions for imports
- **Part IV** – conditions for transits
- **Part V** – conditions for returns
- **Part VI** – miscellaneous matters

Ten schedules form part of the Regulations:

- **Schedule 1** – Disposal Operations for Hazardous Waste
- **Schedule 2** – Recycling Operations for Hazardous Recyclable Material
- **Schedule 3** – Hazardous Wastes and Hazardous Recyclable Materials
- **Schedule 4**
  - **Part 1** – Hazardous Wastes and Hazardous Recyclable Materials from Non-Specific Sources
  - **Part 2** – Hazardous Wastes and Hazardous Recyclable Materials from Specific Sources
- **Schedule 5** – Environmentally Hazardous Substances
- **Schedule 6** – Hazardous Constituents Controlled under Leachate Test and Regulated Limits
- **Schedule 7**
  - **Part 1** – Acute Hazardous Waste and Hazardous Recyclable Material Chemicals
  - **Part 2** – Hazardous Waste and Hazardous Recyclable Material Chemicals
- **Schedule 8** – Excluded Materials
- **Schedule 9** – Movement Document
- **Schedule 10** – Persistent Organic Pollutants

Schedules 1 and 2 specify the disposal and recycling operations that are subject to the Regulations. These operations are meant to implement the disposal and recycling operations set out under both the Basel Convention and OECD Decision C(2001)107/Final.

Schedules 3, 4, and 7 are lists of hazardous wastes and hazardous recyclable materials that are subject to the Regulations. The identification numbers must be provided as part of the notification under the Regulations.

Schedules 5 and 6 are lists of constituents that may be contained in waste or recyclable material at concentrations that would render them hazardous. The identification numbers must be provided as part of the notification under the Regulations.

Schedule 10 lists the names of persistent organic pollutants (POPs) and the triggers for the declaration of POPs within a hazardous waste or hazardous recyclable material.<sup>1</sup>

## **2.5 Who is subject to the Regulations?**

The Regulations apply to all individuals and corporations involved in some aspect of the import, export, or transit of hazardous waste or hazardous recyclable material in Canada. The Regulations define the responsibilities of exporters, importers, carriers and disposal and recycling facilities.

## **2.6 Which authorities are involved?**

The Regulations are administered by Environment and Climate Change Canada. The competent authority for all Canadian imports, exports, and transits is the Environment and Climate Change Canada's Waste Reduction and Management Division, which is also the contact point for the competent authorities in other countries. Canadian companies wishing to import or export hazardous waste or hazardous recyclable material do not need to contact the provincial and foreign authorities directly during the notification process; rather, Environment and Climate Change Canada will contact provincial and foreign authorities and forward the response to the notifier.

The role of Environment and Climate Change Canada includes:

- developing the Regulations and any subsequent amendments,
- processing all export, import, and transit notices and accompanying documents,
- corresponding with the authorities in the provinces or territories and in foreign countries where the waste will be sent for recycling or disposal to get responses (consent or refusal),
- issuing permits to export, import, or transit, and
- enforcing regulatory compliance.

Two other federal agencies are involved in the compliance and administration of the Regulations. One is Transport Canada, since most shipments are also subject to the *Transportation of Dangerous Goods Regulations*; the other is the Canada Border Services Agency (CBSA), which helps to control hazardous waste and hazardous recyclable material crossing the border by verifying that the proper documents accompany each shipment.

The shipments of hazardous waste or hazardous recyclable material must also conform to applicable provincial and territorial laws and regulations (the licensing

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<sup>1</sup> This information is required for Canada to meet its obligations under the Stockholm Convention. The management of waste POPs is a joint effort involving the secretariats of both the Stockholm and Basel Conventions.

of disposal and recycling facilities is managed by provinces and territories). All imports into Canada are subject to the review and confirmation from provincial or territorial authorities at destination that the facilities are authorized to perform on the waste or recyclable material a particular disposal or recycling operation. The provinces and territories may also have their own environmental legislation relating to the transportation of dangerous goods and waste management, including recyclables.

### **3.0 Definitions and Interpretation**

#### **3.1 References to Definitions**

The Regulations set out important definitions and interpretations, among them the definitions of hazardous waste and hazardous recyclable material. These two definitions are outlined in detail in the *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations - Guide to Hazardous Waste and Hazardous Recyclable Material Classification* (hereafter referred to as the Guide to Classification). Other important definitions are set out in Section 4 of the Regulations.

#### **3.2 Authorized Facilities and Authorized Carriers**

Authorization for facilities and carriers must be made in a form that is applicable and acceptable to the responsible jurisdiction, either through regulation, legislation, or permit. The regulatee must submit a notification to Environment and Climate Change Canada containing the registration number issued by either the province or territory of import or the country of export or import.

### **4.0 General Provisions**

#### **4.1 Which operations are considered disposal or recycling?**

Schedules 1 and 2 of the Regulations specify the processes that are considered disposal and recycling operations, respectively. There are two types of disposal and recycling operations that are referred to in this guide as interim operations and final operations. **Interim disposal operations** are those that bear codes D13 (blending or mixing), D14 (repackaging) and D17 (interim storage) in Schedule 1; while **interim recycling operations** are those that bear codes R12 (waste exchange), R13 (accumulation) and R16 (interim storage) in Schedule 2. **All other operation in Schedule 1 and 2 are considered final disposal or recycling operations.**

It is important to note that the operations described in these lists may not be environmentally acceptable practices in all countries or provinces. These

operations are meant to capture the disposal and recycling operations identified under both the Basel Convention and OECD Decision C(2001)107/Final.

The Regulations do not control the export, import, or transit of products being returned to manufacturers, or the return of containers with residues for refill. They do, however, apply to residuals exported or imported for disposal or recycling.

#### **4.2 Can I ship hazardous waste or hazardous recyclable material to or from any country?**

No. Consistent with the Basel Convention, hazardous waste cannot be disposed of or recycled in the Antarctic (south of 60° South latitude) or destined for a country that is not party to the Convention, unless Canada has an agreement with the country through a bilateral or multilateral agreement (e.g. USA).

If you are a Canadian company considering exporting waste or recyclable materials to another country, be sure to read this [important notice](#). It is important to note that parties to the Basel Convention are made up of both OECD and non-OECD member countries. See <http://www.basel.int/ratif/convention.htm> for a list of parties to the Basel Convention and <http://www.oecd.org/environment/waste/> for a list of OECD member countries.

### **5.0 Notification**

#### **5.1 What is notification?**

##### ***Section 185 of Canadian Environmental Protection Act, 1999 (CEPA) and Sections 5 to 8 of the Regulations***

Notification is the process by which exporters, importers, and persons wishing to convey hazardous waste or hazardous recyclable material in transit notify the Minister of Environment and Climate Change Canada of their plans to send or receive international shipments of hazardous waste or hazardous recyclable material. It serves as the application for a permit, without which no shipment can proceed.

The information required in the notice is outlined in section 8 of the Regulations. Although the Regulations do not prescribe the completion of a specific form, Environment and Climate Change Canada has developed an [Online Notification and Permit System](#) and paper [Administrative Notice forms](#) to facilitate the notification process for regulatees. The online system, accessible through Environment Canada's Single Window web site at <https://ec.ss.ec.gc.ca/>, allows companies to submit import and export notifications to Environment and Climate Change Canada, track the status of their submissions, and obtain permits and other official

documentation. In addition, companies may reuse previous submissions for future notices which should simplify the notification process as well as help reduce administrative errors. Once submitted, Environment and Climate Change Canada reviews the notice to ensure that it is complete and meets the technical requirements of the Regulations before forwarding it to the appropriate provincial, territorial or foreign government authorities for consent.

While Environment and Climate Change Canada is the point of contact between the notifier and the competent authorities in the provincial, territorial or foreign governments, it cannot predict or control the length of time it will take these authorities to respond to a request for consent. Therefore, the length of time required to obtain a permit can vary greatly, and is affected by such factors as the type of waste or material, its destination, the disposal or recycling operation to be used, and the number of transit countries involved.

In general, the person submitting a complete notification should allow at least 60 days for the review process to be completed for shipments of waste or recyclable material to or from the United States, and for recyclable material to or from OECD member countries. More time should be allowed for shipments to other countries.

Only after the notifier has received a permit is the shipment allowed to proceed. Permits are normally valid for up to one year; the export, import, or transit may take place within the period specified in the permit.

## **5.2 Notification Procedures**

### ***Obtain a Notice Reference Number***

For notices that are submitted through the Online Notification and Permit System, the Notice Reference Number is assigned once the notice passes validation and has been successfully submitted to Environment and Climate Change Canada for processing.

If the notifier cannot access the Online Notification and Permit System due to unforeseen circumstances, the Minister will provide a Notice Reference Number for the purpose of submitting a notice by an alternative method such as email, mail, registered mail, fax, or courier. Requests to obtain a Notice Reference Number can be made by email at [ec.notification.ec@canada.ca](mailto:ec.notification.ec@canada.ca) or by phone at 1-844-524-5295.

The Notice Reference Number is important for tracking the shipment and its associated documentation. For example, the notice number and line-item number of the waste or recyclable material description must be entered on the movement document that accompanies the hazardous waste or hazardous recyclable material during transport.

### ***Conditions When Notifying for Hazardous Waste or Hazardous Recyclable Material***

In the case of an **export or import**, the same notice cannot include hazardous waste and hazardous recyclable material. Separate notices must be made. In the case of a **transit**, however, a single notice can include both hazardous waste and hazardous recyclable material. **Note:** The Online Notification and Permit System is not available for transits at this time. Notices for transits must continue to be submitted via email, mail, registered mail, fax, or courier.

A single notice may be submitted as notification of a series of international shipments of hazardous waste **or** hazardous recyclable material if the waste or recyclable material

- a. is to be shipped:
  - i. to the same authorized facility at the same location,
  - ii. through the same port of exit or the same port of entry, and
  - iii. within the same 12-month period;
- b. is to be reported to the same customs office;
- c. originates from the same person and the same facility; and
- d. in the case of an export or import, has essentially the same physical and chemical characteristics.

This allows for the notification of multiple types of hazardous waste or hazardous recyclable material from one site to another site within one year of the issuance of a permit.

### ***Site-Specific Notification***

The notification procedure is site-specific, meaning that the hazardous waste or hazardous recyclable material must originate from the same person and the same facility, and be shipped to the same authorized facility at the same location. If a person wishes to ship to or from multiple sites, a new notice must be submitted for each site.

This is necessary in order to be consistent with the notification procedures of the Basel Convention and OECD Decision C(2001)107/Final.

### ***Language***

The notice and all attachments may be submitted to Environment and Climate Change Canada in either English or French. If requested by the importing country, Environment and Climate Change Canada will also ask the Canadian exporter to provide the information in the language specified by the foreign authority.

### ***Notification for Amendments***

In general, once a permit has been issued, changes to the information require re-notification. The following exceptions are provided under the Regulations:

The permit holder may request an amendment to an existing permit by advising the Minister in writing of:

- a change in the quantity of hazardous waste or hazardous recyclable material,
- a change in the number of shipments,
- the addition of authorized carriers, or
- the addition of ports of exit or entry or customs offices.

The request must be made to WRMD in writing (e-mail or fax) and all mandatory information must be provided. The person submitting the request should allow at least 60 days for the review process related to the request to be completed in the case of shipments of waste or recyclable material to or from the United States, and for recyclable material to or from OECD member countries. More time should be allowed for shipments to other countries.

After the proposed changes to the notice have been reviewed, if all of the criteria have been met, an amendment to the permit will be issued. This amendment must be obtained prior to any shipment taking place under the new circumstances, and must also be attached to the permit.

### **5.3 What must the notice contain?**

The person who submits the notice (the notifier) must ensure that the notice meets all regulatory requirements specified in section 8 of the Regulations. These requirements are summarized in sections 5.6, 5.7, and 5.8 of this guide.

### **5.4 Who must notify?**

For exports of hazardous waste or hazardous recyclable material from Canada, the Canadian exporter is responsible for completing the notification and for making sure that all of the documents that must accompany it are provided to Environment and Climate Change Canada. Further conditions limit who the exporter, in relation to an export permit, may be (see section 9.1.3).

For imports of hazardous waste or hazardous recyclable material into Canada, the Canadian importer is responsible for completing the notification and for making sure that all of the documents that must accompany it are provided to Environment and Climate Change Canada. Further conditions limit who the importer, in relation to an import permit, may be (see section 9.2.3).

In the case of a transit through Canada, the notifier can either be the importer, the exporter, the carrier moving the waste through Canada, or their authorized representative. In the case of a transit through a country other than Canada (where Canada is the origin and destination of the hazardous waste or hazardous recyclable material), the notifier can either be the importer, the exporter, the carrier moving the waste, or their authorized representative.

In cases where the importer or exporter owns many facilities, the notice may be submitted by the head office; however, the notice must indicate the actual authorized shipping and receiving sites. Note also that, under current legislation, a partnership is not a corporation, as defined under the Interpretation Act, and therefore cannot notify.

### **5.5 Where must the notice be sent?**

Notification via the [Online Notification and Permit System](#) is the preferred method for notifying for proposed exports and imports; however, if you choose to use the paper Administrative Notice Form, the form and all accompanying documents required by the Regulations must be forwarded by email, mail, registered mail, facsimile, or courier to:

Waste Reduction and Management Division  
Environment and Climate Change Canada  
Place Vincent-Massey  
351 St. Joseph Blvd., 9<sup>th</sup> floor  
Gatineau, QC K1A 0H3  
Fax: 819-938-4555  
Email: [ec.notification.ec@canada.ca](mailto:ec.notification.ec@canada.ca)

### **5.6 Summary of Notification Information Requirements**

The information requirements for notification are outlined in [section 8 of the Regulations](#). They include

- the name, registration number, civic and mailing addresses, e-mail address, and contact information (name, telephone number, and facsimile number) for the
  - Canadian exporter and the foreign receiver,
  - Canadian importer and the foreign exporter,
  - the facility from which the hazardous waste or hazardous recyclable material will be shipped,
  - the facility that will receive the hazardous waste or hazardous recyclable material, and, if applicable, any facilities where final disposal or recycling will take place,
  - exporter and importer or foreign exporter and foreign receiver, in the case of a transit, and

- the authorized carriers;
- shipment details, including dates, number of shipments, and all modes of transport (road, rail, marine, or air) that will be used;
- customs details, including the ports of entry or exit, or the customs offices, if applicable;
- the classification of the hazardous waste or hazardous recyclable material (see the Guide to Classification).

In addition to the requirements above, the notifier must also submit:

- a valid, signed, written contract or series of contracts, and
- insurance information for the Canadian exporter or Canadian importer and all carriers, by providing the name of the insurance company and the insurance policy number.

### **5.7 Completing the Administrative Notice Form Step-by-Step**

Follow these step-by-step instructions to complete the paper Administrative Notice Form. References to the specific sections of the form have been indicated for your convenience.

#### **5.7.1 Option (Box 1)**

Select one of the following three options (a separate notice must be completed for each option selected, except in the case of a transit):

- Option 1: Disposal, Schedule 1 of the Regulations, if the waste is destined for disposal;
- Option 2: Recycling, Schedule 2 of the Regulations, if the material is destined for recycling;
- Option 3: Recycling, Pre-Approved Facility, if the hazardous recyclable material is destined for recycling at a pre-approved facility (Pre-approval is discussed further in section 13 of this guide).

#### **5.7.2 Canadian Exporter/Foreign Exporter (Box 2)**

##### ***Exports from Canada***

Provide the following information for both the Canadian exporter and the facility from which the waste or recyclable material will be shipped: name, registration number (e.g. the number assigned by a provincial authority), civic and mailing addresses, telephone number, facsimile number, electronic address, and name of the contact person. If the civic address is the same as the mailing address, indicate "Same as mailing address".

The name of the insurance company and policy number must also be provided for the Canadian exporter.

#### ***Imports into Canada***

Provide the following information for both the foreign exporter and the facility from which the waste or recyclable material will be shipped: name, registration number (e.g. the number issued by the foreign authority), civic and mailing addresses, telephone number, facsimile number, electronic address, and name of the contact person. If the civic address is the same as the mailing address, indicate "Same as mailing address".

#### ***Transits through Canada***

Provide the following information for both the foreign exporter and the facility from which the waste or recyclable material will be shipped: name, registration number (e.g. the number issued by the foreign authority), civic and mailing addresses, telephone number, facsimile number, electronic address, and name of the contact person. If the civic address is the same as the mailing address, indicate "Same as mailing address".

#### ***Transits through a Country Other Than Canada***

Provide the following information for both the exporter and the facility from which the waste or recyclable material will be shipped: name, registration number (e.g. the number assigned by a provincial authority), civic and mailing addresses, telephone number, facsimile number, electronic address, and name of the contact person. If the civic address is the same as the mailing address, indicate "Same as mailing address".

#### ***5.7.3 Foreign Receiver/Canadian Importer (Box 3)***

##### ***Exports from Canada***

Provide the following information for both the foreign receiver and the facility where the waste or recyclable material will be received: name, registration number (e.g. the number issued by the foreign authority), civic and mailing addresses, telephone number, facsimile number, electronic address, and name of the contact person. If the civic address is the same as the mailing address, indicate "Same as mailing address".

##### ***Imports into Canada***

Provide the following information for both the Canadian importer and the facility where the waste or recyclable material will be received: name, registration number (e.g. the number assigned by the provincial authority), civic and mailing

addresses, telephone number, facsimile number, electronic address, and name of the contact person. If the civic address is the same as the mailing address, indicate "Same as mailing address".

The name of the insurance policy and policy number must also be provided for the Canadian importer. A registration number must be provided for the Canadian receiving site.

#### ***Transits through Canada***

Provide the following information for both the importer and the facility where the waste or recyclable material will be received: name, registration number (e.g. the number issued by the foreign authority), civic and mailing addresses, telephone number, facsimile number, electronic address, and name of the contact person. If the civic address is the same as the mailing address, indicate "Same as mailing address".

#### ***Transits through a Country Other Than Canada***

Provide the following information for both the importer and the facility where the waste or recyclable material will be received: name, registration number (e.g. the number assigned by a provincial authority), civic and mailing addresses, telephone number, facsimile number, electronic address, and name of the contact person. If the civic address is the same as the mailing address, indicate "Same as mailing address".

#### ***5.7.4 Authorized Carrier (Box 4)***

Provide the following information for each authorized carrier: name of the carrier, mailing address, telephone number, facsimile number, electronic address, name of the contact person, the name of the insurance company and the insurance policy number.

If using more than one authorized carrier, check the box for attachments and attach a list with the required information for each carrier.

#### ***5.7.5 Authorized Facilities (Box 5)***

The Regulations require that all authorized facilities be specified as part of the notice. In the case of an interim disposal or recycling operation (e.g. R16), this includes specifying not only the receiving site, but also the facility that will undertake the final disposal or recycling of the waste or material. Interim operations include D13 (blending or mixing), D14 (repackaging), D17 (interim storage), R12 (waste exchange), R13 (accumulation), or R16 (interim storage), as described in Schedules 1 and 2 of the Regulations.

Provide the following information for each authorized facility: name, registration number (e.g. the number assigned by a provincial authority), civic and mailing addresses, telephone number, facsimile number, electronic address, and name of the contact person. If the civic address is the same as the mailing address, indicate "Same as mailing address". Lastly, provide the final disposal or recycling code(s) for the final operation(s) that will be undertaken by the facility, as well as the line number corresponding to each waste or recyclable material that will go to the facility for final disposal or recycling.

If using more than one authorized facility, attach a list with the required information for each facility.

#### **5.7.6 Number of Shipments (Box 6)**

Enter the number of shipments that are intended to take place over the 12-month period covered by the permit.

#### **5.7.7 Ports of Exit or Entry or Customs Offices (Box 7)**

Specify the ports of exit or entry through which the hazardous waste or hazardous recyclable material on the notice is to be transported. If necessary, attach a separate page and mark the appropriate box on the notice form. Customs offices where the shipments are to be declared must also be indicated.

#### **5.7.8 First and Last Shipments (Box 8)**

Indicate the anticipated dates of the first and last shipments. Depending on the time required to obtain consent from all authorities involved, the actual period covered by the permit may not correspond to these dates.

#### **5.7.9 Transit Countries (Box 9)**

Indicate all countries through which the hazardous waste or hazardous recyclable material will pass before reaching their final destination, and the amount of time they will spend in each (length of stay in days). Attach an additional page, if necessary, and check the box provided on the form.

#### **5.7.10 Hazardous Waste or Hazardous Recyclable Material Information (Box 10)**

The information that must be provided for each type of hazardous waste or hazardous recyclable material is described in the Guide to Classification. If you need assistance in determining if a waste or material is covered by the Regulations and how to describe it on the notification, please refer to the Guide to Classification.

Assign a line number to each type of hazardous waste or hazardous recyclable material on the notice. The line numbers are used to link authorized facilities to waste or material with interim operation codes (D13, D14, D17, R12, R13, or R16) (see section 5.7.5 of this guide).

#### **5.7.11 Exports of Hazardous Waste for Disposal (Box 11)**

In the case of an export of hazardous waste destined for disposal, specify the options considered for reducing or phasing out the export of the waste and the reason that the final disposal is taking place outside Canada.

#### **5.7.12 Statement of Person Submitting the Notice (Box 12)**

The person who submits the notice must include a signed and dated statement indicating that

1. in the case of an export or import, the contract or series of contracts is in force;
2. in the case of an export or import, if the waste or recyclable material cannot be disposed of, or recycled, in accordance with the permit, the Canadian exporter or Canadian importer will implement the arrangements set out in 9(p)(iii) or 9(q)(iii) or 16(o)(iii) or 16(p)(iii), as the case may be;
3. the insurance policy covers the period of the shipment; and
4. the information in the notice is complete and correct.

**Note:** No agent can sign any document that, according to the Regulations, requires the signature of the exporter or importer. The person submitting the notice is the person to which the permit is issued. The name of the person on the notice will therefore appear in the top left corner of the permit.

#### **5.7.13 Attachments**

##### **Contracts**

In the case of an export or import, the applicable contracts must be submitted as part of the notification requirements. These contracts are described in section 8 of this guide.

##### **Insurance**

All Canadian exporters, Canadian importers, and authorized carriers of hazardous waste and hazardous recyclable material must be covered by liability insurance. All authorized carriers involved in international shipments of hazardous waste or hazardous recyclable material in which Canada is involved must also be insured. The type, amount, and time period for insurance coverage are described in section 37 of the Regulations. The name of the insurance company and the policy number

must be provided in the notice, as mentioned in sections 5.7.2, 5.7.3, and 5.7.4. Some foreign competent authorities require a copy of insurance policies for export notices.

### ***Supporting Documents***

If additional documents are provided with the notice, such as the Basel or OECD notice form or the Basel or OECD movement document, note that some countries may request that the original signed copies of those documents be provided to them.

## **5.8 Completing an Online Notice Step-by-Step**

Follow these step-by-step instructions to complete an online notice through the Online Notification and Permit System. References to the corresponding sections of the paper Administrative Notice Form have been indicated for your convenience. It is recommended that you also read section 6 of this guide for additional information on the Online Notification and Permit System.

### ***5.8.1 Start New Notice Screen (Box 1)***

Click on "Start New Notice" in the top menu bar to begin working on a new notice. You can either start a new notice from the beginning or clone an existing draft or submitted notice.

If you choose to start a new notice from the beginning, the name of the notifier is pulled from Environment and Climate Change Canada's Single Window Information Manager (SWIM). The notifier is the Canadian exporter on an export notice, the Canadian importer on an import notice, or the exporter, importer, authorized carrier or the person submitting on behalf of the exporter, importer, or authorized carrier on a transit notice. If your profile is connected to more than one organization in SWIM, you will be provided with a drop-down list of organizations. Click on the name of the organization for which you want to submit a notice. In the case of a transit notice, you must also indicate if the person submitting the notice is the exporter, importer, or authorized carrier, or if they are submitting the notice on behalf of the exporter, importer, or authorized carrier.

Next, select the type of permit and then select one of the following treatment options (a separate notice must be completed for each option selected, even if the rest of the information on the notice is the same, except for transit notices where Disposal and Recycling is an option):

- Option 1: Disposal, Schedule 1 of the Regulations, if the waste is destined for disposal,
- Option 2: Recycling, Schedule 2 of the Regulations, if the recyclable material is destined for recycling,

- Option 3: Recycling, pre-approved facility, if the hazardous recyclable material is destined for recycling at a pre-approved facility (Pre-approval is discussed further in section 13 of this guide). This option is only available for import notices.
- Option 4: Disposal and Recycling, if there are waste streams destined for disposal or recycling. This option is only available for transit notices.

When you are done, press "Start Notice". Note: Once you have pressed "Start Notice", the selections that you made on this screen cannot be changed. If you need to change a selection, you will need to delete the notice and start a new one.

### **5.8.2 Basic Info Tab**

This tab displays the Notice Reference Number (once the notice has been submitted), as well as the Type of Permit and Treatment Option that were selected on the Start New Single Notice screen. There is also a "Notifier's File Number" field to enter your own unique file number if you have your own tracking system and an option to enter foreign notice numbers if you know the notice numbers of the foreign notices that match your notice.

In the case of an import notice with the treatment type "Recycling, pre-approved facility", you must provide the expiry date of the facility's pre-approved status.

For quick reference, the Notice Reference Number, Notifier's File Number, Type of Permit, and Treatment Type is also displayed at the top of every tab in the notice.

### **5.8.3 Exporter and Shipping Site Tabs (Box 2)**

#### **Exports from Canada**

- **Canadian Exporter Tab:**

The Canadian exporter must have a name, mailing address, contact, insurance policy, and a registration number (e.g. the number assigned by a provincial authority). If there are multiple selections for any of the items (e.g. registration number), click on the options that apply to the notice before you save and continue to the next tab.

The following information for the Canadian exporter is pre-filled from the organization's profile in SWIM: name, mailing address, contacts, and business number. The registration number(s) and insurance policy come from the exporter's profile which is managed in the Manage My Info section.

- **Canadian Shipping Site Tab:**

The Canadian shipping site must have a name, an address, a contact, and a registration number (e.g. the number assigned by a provincial authority). If there are multiple selections for the shipping site or any of the other items, click on the options that apply to the notice before you save and continue to the next tab.

All of the Canadian shipping sites that have been created in the Manage My Info section will be available in a drop-down list, including the Canadian exporter and any additional shipping sites owned by a different company other than the Canadian exporter. Click on the name of the shipping site you want to add to the notice and press "Select".

### ***Imports into Canada***

- ***Foreign Exporter Tab:***

The foreign exporter must have a name, mailing address, contact and a registration number (e.g. the number issued by the foreign authority).

All of the information for the foreign exporter comes from the Manage My Info section. If there are multiple selections for any of the items (e.g. registration number), click on the options that apply to the notice before you save and continue to the next tab.

- ***Foreign Shipping Site Tab:***

The foreign shipping site must have a name, an address, a contact and a registration number (e.g. the number issued by the foreign authority).

All of the foreign receivers and foreign exporters that have been created in the Manage My Info section will be available in a drop-down list. Click on the name of the company you want to use for the foreign shipping site and press "Select". If there are multiple selections for the shipping site address or any of the other items, click on the options that apply to the notice before you save and continue to the next tab.

### ***Transits***

- ***Exporter Tab:***

The exporter must have a name, mailing address, contact, and a registration number.

If there are multiple selections for any of the items (e.g. registration number), click on the options that apply to the notice before you save and continue to the next tab.

The following information for the exporter is pre-filled from the organization's profile in SWIM if the person submitting the transit notice is the exporter: name, mailing address, contacts, and business number. The registration numbers and insurance policy come from the exporter's profile which is managed in the Manage My Info section.

- ***Shipping Site Tab:***

The shipping site must have a name, an address, a contact and a registration number (e.g. the number issued by the foreign authority).

All of the exporting and importing companies for transit notices that have been created in the Manage My Info section will be available in a drop-down list, plus the notifier. Click on the name of the company you want to use for the shipping site and press "Select". If there are multiple selections for the shipping site address or any of the other items, click on the options that apply to the notice before you save and continue to the next tab.

#### ***5.8.4 Importer, Receiver and Receiving Site Tabs (Box 3)***

##### ***Exports from Canada***

- ***Foreign Receiver Tab:***

The foreign receiver must have a name, mailing address, contact, and a registration number (e.g. the number issued by the foreign authority).

All of the information for the foreign receiver comes from the Manage My Info section. If there are multiple selections for any of the items (e.g. registration number), click on the options that apply to the notice before you save and continue to the next tab.

- ***Foreign Receiving Site Tab:***

The foreign receiving site must have a name, receiving site address, contact, and a registration number (e.g. the number issued by the foreign authority).

All of the foreign receivers and foreign exporters that have been created in the Manage My Info section will be available in a drop-down list. Click on the name of the company you want to use for the foreign receiving site and press "Select". If there are multiple options for the receiving site address or

any of the other items, click on the ones that apply to the notice before you save and continue to the next tab.

### ***Imports into Canada***

- ***Canadian Importer Tab:***

The Canadian importer must have a name, mailing address, contact, insurance policy, and a registration number (e.g. the number assigned by a provincial authority).

The following information for the Canadian importer is pre-filled from the organization's profile in SWIM: name, mailing address, contacts, and business number. The registration number(s) and insurance policy come from the importer's profile which is managed in the Manage My Info section. If there are multiple selections for any of the items (e.g. registration number), click on the options that apply to the notice before you save and continue to the next tab.

- ***Canadian Receiving Site Tab:***

The Canadian receiving site must have a name, an address, a contact, and a provincial registration number.

All of the Canadian receiving sites that have been created in the Manage My Info section will be available in a drop-down list, including the Canadian importer and any additional receiving sites owned by a different company other than the Canadian importer. Click on the name of the receiving site you want to add to the notice and press "Select". If there are multiple selections for the receiving site address or any of the other items, click on the options that apply to the notice before you save and continue to the next tab.

### ***Transits***

- ***Importer Tab:***

The importer must have a name, mailing address, contact, and a registration number.

If there are multiple selections for any of the items (e.g. registration number), click on the options that apply to the notice before you save and continue to the next tab.

The following information for the importer is pre-filled from the organization's profile in SWIM if the person submitting the transit notice is

the importer: name, mailing address, contacts, and business number. The registration numbers and insurance policy come from the importer's profile which is managed in the Manage My Info section.

- **Receiving Site Tab:**

The receiving site must have a name, an address, a contact and a registration number (e.g. the number issued by the foreign authority).

All of the exporting and importing companies for transit notices that have been created in the Manage My Info section will be available in a drop-down list, plus the notifier. Click on the name of the company you want to use for the receiving site and press "Select". If there are multiple selections for the receiving site address or any of the other items, click on the options that apply to the notice before you save and continue to the next tab.

#### **5.8.5 Authorized Carriers Tab (Box 4)**

Provide the following information for each authorized carrier: name of the authorized carrier, mailing address, telephone number, facsimile number, electronic address, name of the contact person, the name of the insurance company and the insurance policy number.

All of the authorized carriers that have been created in the Manage My Info section will be available in a drop-down list. Authorized carriers need to be added to the notice one by one. Click on a carrier that you want to add to the notice and press "Select". If there are multiple selections for any of the items (e.g. registration number), click on the options that apply to the notice and press "Add Carrier to Notice". The authorized carrier will be assigned a number and it will appear in a table which displays the details of the carrier, as well as links to edit the carrier and remove it from the notice.

The following information for the first authorized carrier is pre-filled from the organization's profile in SWIM if the person submitting the transit notice is the authorized carrier: name, mailing address, contacts, and business number. The registration numbers and insurance policy come from the carrier's profile which is managed in the Manage My Info section.

#### **5.8.6 Authorized Facilities Tab (Box 5)**

The Regulations require that all authorized facilities be specified as part of the notice. Authorized facilities are those facilities that will undertake the final disposal or recycling of the waste or recyclable material after the receiving site has already completed an interim operation. Interim operations include D13 (blending or mixing), D14 (repackaging), D17 (interim storage), R12 (waste exchange), R13

(accumulation), or R16 (interim storage), as described in Schedules 1 and 2 of the Regulations.

Provide the following information for each authorized facility: name, registration number (e.g. the number assigned by a provincial authority), civic and mailing addresses, telephone number, facsimile number, electronic address, and name of the contact person.

All of the authorized facilities that have been created in the Manage My Info section will be available in a drop-down list. Authorized facilities need to be added to the notice one by one. Click on a facility that you want to add to the notice and press "Select". If there are multiple selections for any of the items (e.g. registration number), click on the options that apply to the notice and press "Add Facility to Notice". The authorized facility will be assigned a number and it will appear in a table which displays the details of the facility, as well as links to edit the facility and remove it from the notice.

Any waste or recyclable material that will undergo an interim operation must be linked to an authorized facility (see section 5.8.7).

#### **5.8.7 Hazardous Waste/Recyclable Material Tab (Boxes 6 and 10)**

The following information must be provided for each type of hazardous waste or hazardous recyclable material. Drop-down lists have been provided for most of the sections to help you classify the waste or material. If you need assistance in determining if a waste or material is covered by the Regulations and how to describe it on the notification, please refer to the [Guide to Classification](#). Each type of hazardous waste or hazardous recyclable material that is added to a notice is automatically assigned a number.

**International Waste Identification Code (IWIC):** Select the appropriate codes from the drop-down lists provided for the seven-part IWIC, as defined in the Guide to Classification. In the second part of the IWIC, the "D" or "R" codes are from Schedules 1 and 2 of the Regulations. In the third part of the IWIC, select letter "G" to indicate if the material is a gas, instead of "L", "P", or "S". Once you have completed the IWIC, click the "Continue" button to complete the rest of the sections on the Hazardous Waste/Recyclable Material tab.

#### **Basel/OECD Code:**

- For notices with the disposal treatment type only, select the appropriate Basel Annex VIII or OECD Appendix 4 Code that best represents the hazardous waste from the drop-down list. If none of the codes apply, select "Not applicable".
- For notices with the recycling treatment type, select the appropriate Basel Annex VIII or OECD Appendix 4 Code that best represents the hazardous

waste or hazardous recyclable material from the first drop-down list. If none of the codes apply, select "Not applicable" in the drop-down list. You must also select a code from the second drop-down list containing additional OECD Appendix 4 codes. If none of the additional codes apply, select "Not applicable".

**ID Number and Description from Schedule 3-7:** Click on the appropriate schedule and then select the code or substance from the corresponding drop-down list. A maximum of five codes can be provided. If none of the schedules apply to the hazardous waste or recyclable material, check off the box provided.

**TDGR PIN (Transportation of Dangerous Goods Regulations Product Identification Number, also known as the UN number):** Select one UN number from the drop-down list provided. If the number you need is not in the drop-down list, select "Other" and enter the UN number in the field provided. If none of the UN numbers apply, select "Not applicable" from the drop-down list.

**TDGR Hazard Class:** Enter the applicable class(es) set out in column 3 of Schedule 1 of the TDGR. A maximum of three classes can be provided. If none of the classes apply, select "Not applicable" in the drop-down list provided.

**Packing or Risk Group:** Enter the packing or risk group of the waste, as set out in column 4 of Schedule 1 of the TDGR. A maximum of two groups can be provided. If none of the groups apply, select "Not applicable" in the drop-down list provided.

**Quantity:** Indicate, in kilograms or liters, the total quantity of the waste or recyclable material that will be shipped under the notice in the 12-month period covered by the permit, regardless of how it may be divided if multiple shipments take place.

**Number of Shipments:** Indicate the number of shipments of the waste or material that is intended to take place over the 12-month period covered by the permit.

**Persistent Organic Pollutant (POP):** Provide the quantity and concentration of each POP set out in Schedule 10 of the Regulations that is contained in the waste or material in a quantity equal to or greater than the quantity specified in column 3.<sup>2</sup> The concentration can also be provided in a range. If the waste does not contain any POPs, check off the box provided. A maximum of 12 POPs can be added to a notice.

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<sup>2</sup> This information is required in order for Canada to meet its obligations under the Stockholm Convention. The management of waste POPs is a joint effort involving the secretariats of both the Stockholm and Basel conventions. The levels set out under the Regulations are consistent with the low POP content being used under the Basel Convention's "General technical guidelines for the environmentally sound management of wastes consisting of, containing, or contaminated with POP".

**Customs Code:** Enter the applicable tariff item and statistical suffix set out in the Customs Tariff Departmental Consolidation published by the Canada Border Services Agency. The code is composed of ten digits (six tariff item numbers and four statistical suffix numbers following this format: ####.##.##.##).

**Ontario Ministry of the Environment Waste Classification Code:** Enter the waste classification code in the field provided, if applicable.

**Not Regulated in Foreign Country:** Check off the box provided if the waste or recyclable material is not regulated in the foreign country.

**Authorized Facilities:** If you identify an interim operation code in the IWIC (D13, D14, D17, R12, R13 or R16), a section will appear automatically at the bottom of the screen with a list of authorized facilities that were entered on the Authorized Facilities tab. Select the final disposal or recycling code beside each authorized facility that may undertake the final disposal or recycling of the waste or recyclable material. If you do not select a disposal or recycling code beside a facility, that facility will not be linked to the waste or recyclable material.

If an authorized facility is missing from the list, it will need to be added to the notice on the Authorized Facilities tab or created in Manage My Info and then added to the notice. Click "Save" before you return to the Authorized Facilities tab or exit the notice. Once the facility has been added, return to the Hazardous Waste/Recyclable Material tab, click "Edit" in the table beside the waste or recyclable material, and scroll down to the Authorized Facility section to select the facility.

#### ***5.8.8 Shipping Details Tab (Boxes 7, 8, 9 and 11)***

**Ports of Exit/Entry or Customs Offices:** Specify the ports of exit or entry through which the hazardous waste or hazardous recyclable material on the notice is to be transported. Customs offices where the shipments are to be declared must also be indicated.

**First and Last Shipments:** Indicate the anticipated dates of the first and last shipments. Depending on the time required to obtain consent from all authorities involved, the actual period covered by the permit may not correspond to these dates.

**Transit Countries:** Indicate all countries through which the hazardous waste or hazardous recyclable material will pass before reaching their final destination and the amount of time they will spend in each (length of stay in days). Also, indicate the route order by assigning a number to each country.

In the case of an export notice where the receiving site country is the United States, you also need to enter the port of entry and port of exit of the transit countries. Click the "Add Port or Customs Office" link to enter this information.

**Exports of Hazardous Waste for Disposal:** In the case of an export of hazardous waste destined for disposal, specify the options considered for reducing or phasing out the export of the waste and the reason that the final disposal is taking place outside Canada.

#### **5.8.9 Attachments Tab**

Attachments can be uploaded in PDF format only.

**Contracts:** In the case of an export or import, a copy of the signed applicable contracts must be uploaded as part of the notification requirements. These contracts are described in section 8 of this guide.

**Insurance:** All Canadian exporters, Canadian importers, and authorized carriers of hazardous waste and hazardous recyclable material must be covered by liability insurance. All authorized carriers involved in international shipments of hazardous waste or hazardous recyclable material in which Canada is involved must also be insured. The type, amount, and time period for insurance coverage are described in section 37 of the Regulations. The name of the insurance company and the policy number must be provided in the notice, as mentioned in sections 5.8.3, 5.8.4, and 5.8.5. Some foreign competent authorities require a copy of insurance policies for export notices.

**Supporting Documents:** If additional information needs to be provided with the submission, such as proof of pre-approved facility status, it can be uploaded in this section.

**Basel Convention or OECD Decision Notice Form:** In the case of an export to a country other than the United States, a copy of the Basel Convention or OECD Decision Notice form must be uploaded.

**Basel Convention or OECD Decision Movement Document:** A copy of the Basel Convention or OECD Decision Movement Document is not mandatory for the submission of any type of notice.

#### **5.8.10 Notifier Tab**

When the person submitting a transit notice is submitting on behalf of the exporter, importer, or authorized carrier, the Notifier Tab will appear in the notice.

The following information is pre-filled from the selected organization's profile in SWIM: name, mailing address, and contacts. If the notifier is submitting on behalf

of an authorized carrier, you must also select the carrier from the drop-down list containing the carriers that were added to the notice on the Authorized Carriers tab.

#### **5.8.11 Submit Notice Tab (Box 12)**

Once all of the notice tabs have been completed and the attachments have been uploaded, click on the "Submit Notice" tab. The system will run a complete validation test on the notice. If there are any errors, they will be displayed on the screen and you will need to go back and fix them. When the notice passes validation, you will see a preview of the entire notice. Review the notice one last time to make sure all of the information is accurate.

When you are ready to submit the notice, check the box indicating that you have read the "Statement of Person Submitting the Notice", and enter your name and telephone number. You can also add an additional organization contact name and telephone number to the submission if you wish. When you are done click "Submit".

**Note:** No agent can sign any document that, according to the Regulations, requires the signature of the exporter or importer. The person submitting the notice is the person to which the permit is issued. The name of the person on the notice will therefore appear in the top left corner of the permit.

Once the notice has been submitted, it will be assigned a Notice Reference Number automatically and the status will change to "Submitted". You can view the notice any time by clicking on the Notice Reference Number in the table on your Dashboard.

## **6.0 Online Notification and Permit System**

### **6.1 Introduction and Scope of the System**

Environment and Climate Change Canada has implemented a secure online system to enable regulatees to submit notifications and obtain official permits online under the *Canadian Environmental Protection Act, 1999* and the *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations*.

Through the system you can save notices, track the status of your submissions, obtain electronic copies of official documents (e.g. permits), search past completed submissions, cancel submitted notices and clone (reuse) draft and submitted notices. Once you have set up your account, you will be able to reuse the information in future notices.

The Online Notification and Permit System is a convenient alternative to submitting a paper Administrative Notice Form by mail, registered mail, email, fax,

or courier. Notifications for re-routings, returns, and requests for amendments must continue to be submitted via email, mail, registered mail, fax, or courier until further notice. For more information on the notification procedures and who must notify, please see section 5 of this guide.

For more information on the features of the system and how to use it, please refer to the following guidance:

## **6.2 Features of the System**

### **6.2.1 Dashboard**

The Dashboard lists all of the notices that your organization has completed and submitted to Environment and Climate Change Canada for processing, as well as draft notices. Here you can track the status of the notices and when an official document is available in the system to be downloaded. The information is displayed in a table that can be printed or exported to Excel. To filter the table to bring up a particular notice or all notices with a particular importer, for example, enter the notice reference number or name of the importer in the "Filter items" field provided. The system will search all of the columns for the text that you entered in the field.

#### **6.2.1.1 Recommended Not to Use Permit**

If a competent authority issues a new decision for a notice, Environment and Climate Change Canada may recommend that you no longer use the permit. When this happens, you will receive a communiqué from Environment and Climate Change Canada informing you of the new decision and recommendation not to use the permit. A copy of the communiqué will appear on the notice Documents tab and the notice/permit will appear in a separate table on your Dashboard under the header "Recommended Not to Use Permit".

### **6.2.2 Notice Reference Number**

The Notice Reference Number is assigned automatically once the notice has been validated and submitted to Environment and Climate Change Canada. Once assigned, the Notice Reference Number will appear in the first column of the table on the Dashboard, as well as at the top of the screen when you view the notice. Therefore if you choose to use the online system, you no longer need to contact Environment and Climate Change Canada by phone or email to obtain a Notice Reference Number.

### **6.2.3 Notifier's File Number**

When you start a new notice, on the first tab (Basic Info) you have the option to add a unique file number in the Notifier's File Number field. This is a useful feature

if you have your own tracking system. The Notifier's File Number field is mandatory if you want to clone a draft notice.

#### **6.2.4 Validate**

At the bottom of each tab of the notice, there is a "Validate" button. When you click on this button, the system will run a validation test to see if there is any missing or invalid information on the tab. It is recommended that you validate each tab of the notice so that you can correct errors as you go. When a page passes validation, the system also saves the information on the page. When you click on the last tab ("Submit Notice"), the system will run a complete validation test on the notice before you can sign and officially submit the notice for processing.

#### **6.2.5 Save/Continue**

Each tab of the notice must be saved. If you navigate to another tab without clicking on "Save/Continue", you will lose any information that you entered. After 20 minutes of inactivity, the system will log you out and any unsaved work will be lost. Therefore it is recommended that you save your work frequently. Note: The "Validate" button also saves the information on the page when the validation passes.

#### **6.2.6 Notice Statuses**

There are 10 possible notice statuses that may appear in the table on your Dashboard:

**Statuses in the "Notifier's Last Action" column:**

| <b>Status</b> | <b>Explanation</b>                                  |
|---------------|-----------------------------------------------------|
| Draft         | Status when a notice has not yet been submitted.    |
| Submitted     | Status when a notice has officially been submitted. |
| Cancelled     | Status when the notifier cancels their notice.      |

**Statuses in the "EC Last Action" column:**

| <b>Status</b>         | <b>Explanation</b>                                                                                                                                                                                              |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Submission Review     | Status when Environment and Climate Change Canada starts reviewing the notice.                                                                                                                                  |
| Information Requested | Status when Environment and Climate Change Canada requests corrections to a notice. The notice is unlocked and the "Edit/View Notice" button is enabled allowing the notifier to make the required corrections. |
| Pending Decision      | Status when Environment and Climate Change Canada has forwarded the notice to the appropriate                                                                                                                   |

|                     |                                                                                               |
|---------------------|-----------------------------------------------------------------------------------------------|
|                     | competent authorities for a decision.                                                         |
| Temporary Objection | Status when a competent authority has given a temporary objection decision for a notice.      |
| Cancelled           | Status when Environment and Climate Change Canada has processed the cancellation of a notice. |
| Closed              | Status when Environment and Climate Change Canada closes a notice.                            |
| Completed           | Status when Environment and Climate Change has completed processing the notice.               |

### 6.2.7 Clone Notices

There are two ways to clone notices in the system.

1. You can clone any submitted notice from your Dashboard. Simply click on the notice reference number in the Dashboard table and then click on the "Clone Notice" button.
2. You can clone a draft or submitted notice when you click on "Start New Notice" in the top menu bar of the system. Select the Notice Reference Number or the Notifier's File Number from the drop-down list provided and then click on the "Clone Notice" button. To clone draft notices, the Notifier's File Number field must be filled out on the notice Basic Info tab.

Regardless of which option you choose, the system will make an exact copy of the notice so that you can reuse the information rather than start a new notice from the beginning. The only information that is not copied is the first and last shipment dates and the attachments, as well as the expiry date of the pre-approved facility's status in the case of an import with the "Recycling, pre-approved facility" treatment type. Any of the existing information can be changed before you submit the notice to Environment and Climate Change Canada.

### 6.2.8 Manage My Info

The Manage My Info section, accessible from the top menu bar of the screen, is where you manage the information for the Canadian exporter/importer or person submitting a transit notice, and all of the foreign receivers/exporters, authorized carriers and authorized facilities that you may need to add to a given notice. See Getting Started: Step 3 below for more information on managing your information.

### 6.2.9 Submit Changes

Once you have submitted a notice, the system allows you to make changes and "re-submit" the revised notice to Environment and Climate Change Canada up until the notice status has changed to "Submission Review". Once the notice has the status of "Submission Review", this indicates that Environment and Climate

Change Canada has started reviewing the notice. If there are any errors or missing information in the notice, Environment and Climate Change Canada will trigger an "Information Request" which unlocks the notice so it can be edited. The status in the "EC Last Action" column will say Information Requested.

To revise a notice, click on the Notice Reference Number in the table on your dashboard and then click on the "Edit/View Notice" button in the top right-hand corner of the screen. When you are done editing the notice, click on the "Submit Notice" tab to re-submit the notice.

#### **6.2.10 Delete Notice**

Notices can only be deleted when the notice status is "Draft". To delete a notice, click on the Notice Reference Number in the table on your Dashboard and then click the "Delete Notice" button. The next screen will ask you to confirm that you want to delete the notice just in case you accidentally opened the wrong one. If you are sure you want to delete the notice, click on "Delete Notice".

#### **6.2.11 Cancel Notice**

Submitted notices can be cancelled at any time up until the moment they are closed or completed. To cancel a notice, click on the Notice Reference Number in the table on your Dashboard and then click "Cancel Notice". The next screen will ask you to confirm that you want to cancel the notice. If you are sure, click on "Cancel Notice". The status in the Notifier's Last Action column will change to "Cancelled" and the system will send a cancellation request to Environment and Climate Change Canada to be processed. When the notice has been cancelled officially, the status in the "EC Last Action" column will change to "Cancelled".

#### **6.2.12 Find Notice**

The "Find Notice" feature, accessible from the top menu bar of the screen, allows you to search all of the notices that belong to any organizations for which you have access to in Environment and Climate Change Canada's Single Window system. You can refine your search with the criteria provided, such as permit type, exporter name and importer name.

#### **6.2.13 Official Documents**

When Environment and Climate Change Canada issues an official document for a notice (e.g. permit), a link to the document, in either .pdf or .msg format, will be available from the Documents tab of the notice. The system generates the permit and refusal letters in a consistent format. The document link name contains four components:

- 6-digit notice reference number

- 3-letter acronym: IMP for import, EXP for export or TRA for transit
- "P" stands for permit and "R" stands for refusal letter
- CA stands for Canada

| Document Type | Document Link Name   |
|---------------|----------------------|
| Permit        | e.g. 700001-IMP-P-CA |
| Refusal       | e.g. 700001-EXP-R-CA |

The notifier will receive an email when a document is available. On an export notice, this is the contact on the Canadian Exporter tab; on an import notice, this is the contact on the Canadian Importer tab; and on a transit notice, this is the contact on the Exporter tab, Importer tab, Authorized Carriers tab, or Notifier tab.

To view or download an official document, open the notice from the table on your Dashboard or the search results on the Find Notice page, and then click on the "Official Documents" tab. All of the official documents that have been issued for the notice will be listed with links. Simply click on the link to view or save the document.

### 6.3 Getting Started

#### ***Step 1: Sign in to Environment and Climate Change Canada's Single Window and Create Your Profiles***

The Online Notification and Permit System is accessed through [Environment Canada's Single Window web site](#). The Single Window system consists of three components: GCKey, Single Window Information Manager (SWIM) and various online systems used by Environment and Climate Change Canada programs, including the Online Notification and Permit System for the *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations*.

#### ***Sign in with a GCKey***

Go to [Environment Canada's Single Window web site](#). The first screen on the Single Window web site provides two options to sign in. Click on "Continue to GCKey". Sign in if you already have a GCKey. If this is your first time using the Single Window system, click on "Register for a new GCKey" and follow the instructions on the screens. Once you have finished, press "Continue". You are now logged in SWIM.

#### ***Managing your User and Organization Profiles in SWIM***

If you already have an existing user profile associated with your GCKey, make sure it is up-to-date.

If you have entered SWIM for the first time, please follow the instructions in [Tutorial 1 of the Single Window User Guide](#) to complete your user profile.

The next step is to link your user profile to an organization and to complete your organization's profile. Click on "Organizations" in the left-hand menu and follow the instructions in [Tutorial 2](#) and [Tutorial 3](#) of the Single Window User Guide.

**Note:** It is important that you add as much information as possible in your user profile and your organization(s) profile(s) even though there are minimal mandatory fields (e.g. business number). This is because the Online Notification and Permit System pulls some of the information and it can only be edited in SWIM. Ensuring your profiles are complete and accurate in SWIM first will save you time when you fill out the online notice form in the Online Notification and Permit System.

If you have any questions about Single Window or setting up your profiles, please refer to the [Single Window User Guide](#) or contact the Single Window team by email at [ec.qigu-swim.ec@canada.ca](mailto:ec.qigu-swim.ec@canada.ca).

### ***Step 2: Launch the Online Notification and Permit System***

Once you have finished creating or updating your profiles in SWIM, click on the "Home" hyperlink, located at the top of the left-hand menu in SWIM, and then click on *Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations* in the list of modules on the SWIM Home page. The next screen will be the Dashboard of the Online Notification and Permit System.

### ***Step 3: Manage My Info***

Before you begin working on a notice in the online system, it is recommended that you go to the Manage My Info section, accessible from the top menu bar on the Dashboard. This is where you will enter the information for the Canadian exporter or importer and any additional Canadian shipping or receiving sites, if required, as well as all of the foreign receivers or exporters, authorized carriers, and authorized facilities that you may need to add to any given notice. Once the information is entered in Manage My Info, it will be available to be added to individual notices, as required, but it always remains in the Manage My Info section.

When you click on "Manage My Info", the first screen will ask you to select an organization from the drop-down list. The names of the organizations that your profile is connected to in SWIM will appear in this list. If the name you want to select is not in the list, you will need to ensure that your user profile is connected to the appropriate organization in SWIM before continuing.

### **Manage My Info Tabs:**

- **Canadian Exporter/Importer or Person Submitting a Transit Notice:**  
This tab contains two sections: My Organization and Canadian Shipping/Receiving Sites. Click on "Edit" in the table under My Organization to manage the information for the Canadian exporter/importer or person submitting the transit notice. Some information on this tab is pre-filled from SWIM: name, mailing address, contacts, and business number (business number is pulled from SWIM for organizations, but not for facilities). If you need to update this information, you need to go back to SWIM (refer to the [Single Window User Guide](#) for assistance). The information for the shipping/receiving sites owned by the Canadian exporter/importer, as well as the Canadian exporter/importer's registration numbers and insurance policy, must be entered manually.

To add a shipping/receiving site that is located in Canada but owned by a different company other than the Canadian exporter/importer, click on "Create New Canadian Shipping/Receiving Site" and fill out the form. Each time you create a new shipping/receiving site, it will appear in a table under Canadian Shipping/Receiving Sites, with links to edit and remove it from the system.

- **Foreign Receiver/Exporter:** This tab is where you manage the information for all of the foreign companies that need to appear on your notices as either the foreign receiver or the foreign exporter, depending on the type of permit. To add a foreign company, click on "Create New Foreign Receiver/Exporter" and fill out the form. Each time you create a new foreign receiver/exporter, it will appear in a table with links to edit and remove it from the system.
- **Authorized Carriers:** This tab is where you manage the information for all of the carriers that need to appear on your notices. To add a carrier, click on "Create New Authorized Carrier" and fill out the form. Each time you create a new carrier, it will appear in the first table with links to edit and remove it from the system.

Once you have created individual carriers, you can create carrier lists which are pre-determined groups of carriers. Enter the name of the carrier list in the blank field provided in the Manage Carrier Lists section and then click "Save Carrier Lists". The name of the new list will appear in the table below. Select which carriers you want to be part of the list and then click the "Save Carrier Lists" button at the bottom of the screen.

- **Authorized Facilities:** An authorized facility is required when the notice includes any hazardous waste or hazardous recyclable materials that will be disposed of or recycled using an interim operation. This tab is where you manage the information for the authorized facilities that will carry out the

final disposal or recycling of the waste or recyclable materials on your notices using a final operation other than D13, D14, D17, R12, R13 or R16. If the facility is authorized to carry out more than one type of disposal or recycling operation, select all of the codes that apply. Each time you create a new authorized facility, it will appear in a table with links to edit and remove it from the system.

- **Exporting and Importing Companies for Transit Notices Only:** This tab is where you manage the information for all of the exporting and importing companies that need to appear on your transit notices. To add a new company, click on "Create New Exporter/Importer for Transit Notices" and fill out the form. Each time you create a new company, it will appear in a table with links to edit and remove it from the system.

### ***Changing, Deleting, or Adding Information in Manage My Info:***

If you make changes to any information in Manage My Info, including deletions, the changes will be applied automatically to any draft notices that have not yet been submitted to Environment and Climate Change Canada. Changes are not applied to notices that have already been submitted to Environment and Climate Change Canada. Any new information that is added in Manage My Info while a notice is in draft, for example a new carrier, will not be added automatically to the notice. If you want to add the new carrier to the draft notice, you will need to open the draft notice and select the carrier from the drop-down list available on the Authorized Carriers tab.

### ***Step 4: Start New Notice***

Click on "Start New Notice" in the top menu bar to begin working on a new notice. You can either start a new notice from the beginning or clone an existing draft or submitted online notice.

If you choose to start a new notice from the beginning, the name of the notifier is pulled from Environment Canada's Single Window Information Manager (SWIM). The notifier is the Canadian exporter on an export notice, the Canadian importer on an import notice, or the exporter, importer, authorized carrier or the person submitting on behalf of the exporter, importer or authorized carrier on a transit notice. If your profile is connected to more than one organization in SWIM, you will be provided with a drop-down list of organizations. Click on the name of the organization for which you want to submit a notice. In the case of a transit notice, you must also indicate if the person submitting the notice is the exporter, importer, or authorized carrier, or if they are submitting the notice on behalf of the exporter, importer, or authorized carrier.

Next, select the type of permit and then select one of the following treatment options (a separate notice must be completed for each option selected, even if the

rest of the information on the notice is the same, except for transit notices where Disposal and Recycling is an option):

- Option 1: Disposal, Schedule 1 of the Regulations, if the waste is destined for disposal,
- Option 2: Recycling, Schedule 2 of the Regulations, if the material is destined for recycling,
- Option 3: Recycling, pre-approved facility, if the hazardous recyclable material is destined for recycling at a pre-approved facility (Pre-approval is discussed further in section 13 of this guide. This option is only available for import notices.
- Option 4: Disposal and Recycling, if there are waste streams destined for disposal or recycling. This option is only available for transit notices.

When you are done, press "Start Notice". Note: Once you have pressed "Start Notice", the selections that you made on this screen cannot be changed. If you need to change a selection, you will need to delete the notice and start a new one.

Once you have started a new notice, it will always be accessible from the table on your Dashboard.

#### ***Step 5: Complete the Notice***

The online notice is divided into separate tabs. See section 5.8 of this guide for detailed instructions on how to complete each tab or send an email to [ec.notification.ec@canada.ca](mailto:ec.notification.ec@canada.ca) for assistance.

When you have completed a tab, click on the "Validate" button at the bottom of the screen. If there are any errors, correct them and then click on the "Save/Continue" button to move to the next tab in the notice. After 20 minutes of inactivity, the system will log you out and any unsaved work will be lost. Therefore it is recommended that you save your work frequently.

#### ***Step 6: Submit the Notice***

Once all of the notice tabs have been completed and the attachments have been uploaded, click on the "Submit Notice" tab. The system will run a complete validation test on the notice. If there are any errors, they will be displayed on the screen and you will need to go back and fix them. When the notice passes validation, you will see a preview of the entire notice. Review the notice one last time to make sure all of the information is accurate.

When you are ready to submit the notice, check the box indicating that you have read the "Statement of Person Submitting the Notice", and enter your name and telephone number. You can also add an additional organization contact name and

telephone number to the submission if you wish. When you are done click "Submit".

Note: The name of the person submitting the notice is the name that appears in the top left-hand corner of the permit under the header "Issued To".

## **7.0 Appropriate Authorities**

After Waste Reduction and Management Division (WRMD) has received the notification and its accompanying documents, a thorough administrative and technical review of the accuracy and completion of the application is conducted. If the notification meets all regulatory requirements, the information is forwarded to the appropriate competent authorities.

**In the case of an export** to a country that is a party to the Basel Convention, WRMD submits the notification information to the competent authority in the country of import, as designated under the Basel Convention, for review and consent. For exports to the United States of America (USA), the notification information is sent to the United States Environmental Protection Agency (US EPA). If applicable, the notification is also sent to the competent authorities of all transit countries.

**In the case of an import**, WRMD submits the notification information to the appropriate authorities in the province or territory where the disposal or recycling operation is to take place, since the provinces and territories license the treatment facilities.

Environment and Climate Change Canada must receive acknowledgement from the authority that has jurisdiction over the receiving facility that the hazardous waste or hazardous recyclable material is authorized for disposal or recycling. If any competent authority objects, the shipment cannot proceed.

The Minister will issue a permit once the notification has been satisfactorily completed and all authorizations are in place. Imports, exports, or conveyances in transit of hazardous waste or hazardous recyclable material are prohibited without a permit.

**Tacit consent** is a government-to-government mechanism under OECD Decision C(2001)107/Final and the Canada-USA Agreement. This mechanism allows Environment and Climate Change Canada to issue 30-day tacit consent for hazardous recyclable materials exported to or imported from a country that is subject to the OECD Decision. Environment and Climate Change Canada may also issue 30-day tacit consent for hazardous waste and hazardous recyclable material under the Canada-USA Agreement. These provisions have not been included in the Regulations, as they are best addressed administratively.

## **8.0 Contracts and Insurance**

### **8.1 What Contracts or Arrangements Are Required?**

Except in cases where Canada is only a country of transit, the Regulations require the existence of a written contract or series of contracts, in the case of an export: between the Canadian exporter, the foreign receiver, and, if applicable, the authorized facilities that will perform the final disposal or recycling operation; or, in the case of an import: between the Canadian importer, foreign exporter, and, if applicable, the authorized facilities that will perform the final disposal or recycling operation .

If the Canadian exporter buys or sells materials for the purposes of recycling, and exports them to a country that is subject to OECD Decision C(2001)107/Final, the exporter must have a contract with the facility from which the material will be exported.

If the Canadian importer buys or sells materials for the purpose of recycling, the importer must have a contract with the facility where the material will be recycled.

Contracts must be signed by all of the parties involved. If the Canadian importer and foreign exporter (or the Canadian exporter and foreign receiver) are the same legal entity, company representatives from both countries must sign the contract.

Copies of all contracts must be submitted to Environment and Climate Change Canada at the same time as the notification information, in order to provide proof that a business arrangement exists between the parties involved.

### **8.2 What Must the Contract Include?**

The contract between the Canadian importer and foreign exporter (in the case of an import) or the Canadian exporter and the foreign receiver (in the case of an export) must contain the following information:

- a description of the hazardous waste or hazardous recyclable material to be imported, exported,
- the quantity of the hazardous waste or hazardous recyclable material to be imported, exported
- a description of and the code for the recycling or disposal operation, set out in Schedule 1 or 2, that will be used, as specified in the notice
- a term indicating that the hazardous waste or hazardous recyclable material will be disposed of or recycled in accordance with the import or export permit

**For an import into Canada,** the contract must also include

- a statement requiring the foreign exporter to complete Part A of the movement document (or authorizing the Canadian importer to do so on the foreign exporter's behalf only if the waste or material is not considered hazardous under the legislation of the country of export) and provide a copy of both it and the import permit to the first authorized carrier prior to shipment,
- a term requiring the foreign exporter to send a copy of the movement document to the Canadian importer after Part A has been completed by the foreign exporter, Part B has been completed by the first authorized carrier, and the hazardous waste or hazardous recyclable material has been shipped, and
- a term requiring the foreign exporter to take all practicable measures to assist the Canadian importer fulfill his or her obligations under clause 16(o)(iii)(A) or (B) or 16(p)(iii)(A) or (B) concerning alternative arrangements and returns..

**For an export from Canada,** the contract must also include

- a statement requiring the foreign receiver to complete Part C of the movement document (or authorizing the Canadian exporter to do so on the foreign receiver's behalf only if the waste or material is not defined as, or considered to be, hazardous under the legislation of the country of import) and provide a copy of both it and the export permit to the Canadian exporter on delivery of the shipment,
- a term requiring the foreign receiver to complete the disposal of the hazardous waste or the recycling of the hazardous recyclable material within the time frame set out in section 9(o) of the Regulations, when applicable,
- a term requiring the foreign receiver to submit a written confirmation of the disposal of the hazardous waste or recycling of the hazardous recyclable material within 30 days after the date on which the disposal or recycling operation is completed; and
- a term requiring the foreign receiver to take all practicable measures to assist the Canadian exporter to fulfill his or her obligations under clause 9(p)(iii)(A) or (B) or clause 9(q)(iii)(A) or (B) concerning alternative arrangements and returns.

Any financial details or other confidential business information does not need to be part of the information provided to ECCC as part of the notification. The contracts need to cover the period of time for which activities under the permit will be conducted, including transportation, disposal or recycling and providing confirmation of the disposal or recycling.

### **8.3 Who Must Be Insured?**

All Canadian exporters, Canadian importers, and authorized carriers of hazardous waste and hazardous recyclable material must be covered by liability insurance. All authorized carriers involved in international shipments of hazardous waste in which Canada is involved must also be insured.

The type, amount, and time period for insurance coverage are described in section 37 of the Regulations.

### **8.4 What Insurance Coverage Is Required?**

The amount of liability insurance required for exports or imports of hazardous waste is at least five-million dollars; for exports or imports of hazardous recyclable material, the minimum is one-million dollars. The Regulations do not specify the amount of liability insurance required for authorized carriers, since these carriers are licensed by provincial or federal authorities, and must comply with the requirements of the jurisdiction in which they operate.

Insurance must cover

- any damage to third parties for which the exporter, importer, or authorized carrier is responsible, and
- any costs imposed by law on the exporter, importer, or authorized carrier to clean up the environment as a result of any hazardous waste or hazardous recyclable material being released into the environment.

For imports, insurance must cover liability from the time the hazardous waste or hazardous recyclable material enters Canada to the time it is accepted for disposal or recycling at an authorized facility in Canada or, if the waste or recyclable material must be returned, the time it leaves Canada.

For exports, insurance must cover liability arising from the time the hazardous waste or hazardous recyclable material leaves the Canadian exporter's shipping site to the time it is accepted for disposal or recycling at an authorized facility, including a facility in Canada if the waste or recyclable material must be returned.

For transits, insurance must cover liability for the duration of the time that the hazardous waste or hazardous recyclable material is in transit in Canada.

## **9.0 Summary of Conditions on Exports, Imports and Transits**

### **9.1 Exports**

#### ***9.1.1 Where May the Waste or Material Be Exported?***

An exporter may only export hazardous waste or hazardous recyclable material to countries that are party to the Basel Convention, the Canada-United States of America (USA) Agreement, or subject to OECD Decision C(2001)107/Final who have consented to receiving the waste or recyclable material before the shipment is initiated.

No exports may be shipped south of 60° South latitude or to Antarctica.

#### ***9.1.2 What May Be Exported?***

The Regulations set out the conditions for the export of hazardous waste and hazardous recyclable material.

Some substances that fall within the Regulations' definition of hazardous waste or hazardous recyclable material may be prohibited from export by other Canadian laws and, therefore, cannot be exported under the Regulations. Other substances have additional conditions placed on them by the Regulations. For example, biomedical waste, as defined by the Regulations, and infectious substances, as set out in the Transportation of Dangerous Goods Regulations (TDGR), may be exported only for disposal.

#### ***9.1.3 Who May Export?***

In order to obtain an export permit, a person must meet the conditions of what constitutes an exporter, as set out in the Regulations.

An exporter must be a resident of Canada or, in the case of a corporation, have a place of business in Canada. The exporter must also

- be the owner or operator of a facility from which the waste or recyclable material will be exported, or
- buy or sell hazardous recyclable material for the purposes of recycling, and export it to a country that is subject to OECD Decision C(2001)107/Final.<sup>3</sup>

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<sup>3</sup> In such a case, where a broker is acting as the exporter and may not have physical possession of the material, the broker must identify the shipping site in the notice and include a contract with the site as part of the notification.

#### **9.1.4 Permits**

A permit will be issued by the Minister only after prior informed consent has been obtained from the authorities in the countries of transit and destination, in accordance with section 185 of *Canadian Environmental Protection Act, 1999* (CEPA).

The conditions that must be met are specified in both the Regulations and the export permit. They are as follows:

- the hazardous waste or hazardous recyclable material must be transported by the authorized carriers named in the export permit
- the waste or material must be exported through the ports of exit named in the export permit
- the quantity of waste or material exported cannot exceed the quantity set out in the export permit
- the waste must be disposed of or the material recycled at the authorized facility named in the export permit, using the disposal or recycling operation set out in the export permit
- the waste or recyclable must be exported within the valid dates of the permit
- the permit identifies the waste or material that may be shipped

A Canadian exporter may notify Environment and Climate Change Canada with his or her plans to export hazardous waste or hazardous recyclable material, but it is only after a rigorous review and approval process that a permit can be issued indicating what may be exported and how the export must be carried out.

In addition to meeting the requirements of the export permit, the Canadian exporter or authorized carrier must ensure that copies of both the permit and movement document accompany the waste or material and are provided to CBSA.

Shipments of hazardous waste may also be subject to other local, provincial, national, or international laws, regulations, and agreements. The provisions of the Regulations do not override or replace any other current federal or international laws, regulations, or agreements concerning the transportation of dangerous goods under which any given shipment of hazardous waste may be controlled.

It is important to note that most of the waste and recyclable material subject to the Regulations may also be subject to the TDGR. Exporters and authorized carriers must comply with the applicable requirements of the TDGR.

#### **9.1.5 Time Limits**

The following disposal and recycling operations set out in the Regulations are interim operations that may take place prior to final disposal or recycling:

- D14, D14, or D17
- R12, R13, or R16

The authorized facility performing these interim operations has 180 days to complete these interim disposal or recycling operations, after which time the waste or material must undergo final disposal or recycling.

The authorized facility performing final disposal or recycling operations has one year to complete those operations. If the authorities of the jurisdiction require final disposal or recycling to be completed within a shorter time frame, the authorized facility must comply with this requirement.

Within 30 days after the date on which the final disposal or recycling took place, the Canadian exporter must provide the Minister with written confirmation that the operation has been completed. There is no prescribed form for this confirmation.

#### **9.1.6 Refusal of Shipments**

Section 186 of CEPA prohibits the abandonment of any waste or material for which a permit has been issued.

Paragraph 9(p) and (q) of the Regulations sets out the conditions that must be followed when

- alternate arrangements are undertaken to dispose of the waste or recycle the material, or
- the waste or material is returned to the country of origin (See section 11 of this Guide).

Paragraph 9(p) applies in circumstances where the shipment is exported but is not accepted by the authorized facility named in the export permit, or where the authorized facility cannot, or refuses to, dispose of or recycle it in accordance with the export permit. In these cases, the Canadian exporter must:

- immediately notify the Minister [through the Waste Reduction and Management Division (WRMD)] and the foreign receiver that the shipment cannot be accepted, and explain the reason for non-acceptance (e.g., the waste or material may be off-specification or the foreign receiver's facility may not have the technical capability to dispose of or recycle it in an environmentally sound manner);
- ensure that the waste or material is stored at an authorized alternate facility if it cannot be safely stored at the foreign receiver's site (this may be necessary if the receiver's site is not authorized by the jurisdiction to store the material until alternate arrangements have been made); and

- within 90 days after the Minister was notified or within any other period of time that is agreed to by the Minister and the competent authority of the country of import,
  - make all necessary arrangements to dispose of the hazardous waste or recycle the hazardous recyclable material in the country of import at an authorized facility other than the one named in the export permit, and provide the Minister with the name and address of and the name of a contact person for, that authorized facility; or
  - return the waste or recyclable material to the facility in Canada from which it was exported, in accordance with the return conditions.

Paragraph 9(q) applies in circumstances where the hazardous waste or hazardous recyclable material is exported in accordance with the export permit but is not accepted by the competent authority of the country of import or of a country of transit. In these cases, the Canadian exporter must:

- immediately notify the Minister and the foreign receiver of the situation and the reason for it;
- if necessary, store the hazardous waste or hazardous recyclable material in a facility that is identified for that purpose by that competent authority; and
- within 90 days after the day on which the Minister is notified or within any other period of time that is agreed to by the Minister and that competent authority,
  - make all necessary arrangements to dispose of the hazardous waste or recycle the hazardous recyclable material in the country that did not accept it at an authorized facility other than the one named in the export permit and provide the Minister with the name and address of, and the name of a contact person for, that authorized facility; or
  - in accordance with section 34, return the hazardous waste or hazardous recyclable material to the facility in Canada from which it was exported.

When alternative arrangements are made, before shipping the hazardous waste or hazardous recyclable material to the other authorized facility, the exporter must receive written confirmation from the Minister that the competent authority of the country that did not accept it has approved its disposal or recycling at that other authorized facility.

#### **9.1.7 Movement Document**

Before the shipment may begin, the Canadian exporter must complete and sign Part A of the movement document and provide it and a copy of the export permit to the first authorized carrier. The carrier must then complete and sign Part B of

the movement document and provide a copy to the exporter. The shipment may then proceed.

The Canadian exporter has three working days after the date on which the waste or material was shipped to submit a copy of the movement document, with Parts A and B completed, to the Minister and, if required, the provincial authority.

A copy of the movement document and export permit must also be provided to the Canada Border Services Agency by the Canadian exporter or authorized carrier. The Canadian exporter must ensure that the foreign receiver completes Part C of the movement document on receipt of the shipment, and provides a copy of the movement document and the export permit to the Canadian exporter. If the waste or material is not regulated as hazardous in the foreign jurisdiction, the exporter may, in accordance with the contract, sign Part C of the document on behalf of the foreign receiver.

The Canadian exporter has three working days after the date on which the hazardous waste or hazardous recyclable material was delivered to the foreign receiver to provide the movement document, with Parts A, B, and C completed, to the Minister and, if required, the provincial authority.

The following table summarizes the export conditions set out in Part 2 of the Regulations.

| <b>Table 2: Conditions on Exports for Disposal or Recycling</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Condition</b>                                                | <b>Description</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Applicability</b>                                            | All exports of hazardous waste or hazardous recyclable material from Canada destined for disposal or recycling operations.                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>General Conditions</b>                                       | <p>The importing country is a party to the Basel Convention, the Canada-USA Agreement, or subject to OECD Decision C(2001)107/Final, and the import is not prohibited by that country.</p> <p>Disposal or recycling will not take place in the Antarctic.</p> <p>The export is not prohibited under Canadian law, nor is its movement prohibited by any countries of transit.</p> <p>Biomedical waste, as defined by the Regulations, and infectious substances, as set out by the TDGR, may be exported for disposal only.</p> |
| <b>Exporters</b>                                                | <p>The exporter must be a resident of Canada or, in the case of a corporation, have a place of business in Canada, and</p> <ul style="list-style-type: none"><li>• be the owner or operator of the facility from which the</li></ul>                                                                                                                                                                                                                                                                                            |

| <b>Table 2: Conditions on Exports for Disposal or Recycling</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Condition</b>                                                | <b>Description</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                                 | <p>hazardous waste or hazardous recyclable material will be exported, or</p> <ul style="list-style-type: none"> <li>• buy or sell hazardous recyclable material for the purposes of recycling and exporting it to a country that is subject to OECD Decision C(2001)107/Final.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Insurance</b>                                                | The Canadian exporter and authorized carriers must be insured (see section 37 of the Regulations).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Contracts</b>                                                | <p>There is a signed, written contract between the Canadian exporter, the foreign receiver, and the authorized facilities containing</p> <ul style="list-style-type: none"> <li>• a description and the quantity of the hazardous waste or hazardous recyclable material to be exported,</li> <li>• the code and description of the proposed disposal or recycling operation as defined in Schedule 1 or 2, respectively, of the Regulations,</li> <li>• a requirement that the foreign receiver submit written confirmation to the Canadian exporter of the completion of the disposal or recycling operation within 30 days after the date on which it occurs, and</li> <li>• a statement that, if the waste or material is refused or cannot be disposed or recycled in accordance with the permit, the foreign importer will assist the Canadian exporter meet his or her obligations under the Regulations.</li> </ul> |
| <b>Permit</b>                                                   | <p>No shipment can proceed unless the Minister is notified and an export permit is issued. Under the Regulations, notification serves as the application for the permit.</p> <p>The conditions that must be met are set out in both the Regulations and the export permit.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Movement Document</b>                                        | <p>The notice number and line-item number of the hazardous waste or hazardous recyclable material must appear on the movement document. The Canadian exporter must complete Part A of the document, the carrier Part B, and the foreign receiver Part C.</p> <p>The Canadian exporter and every authorized carrier must keep a copy of the movement document at their principal place of business for a period of three years after the date of export.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Transport</b>                                                | Copies of the movement document and export permit must be                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

**Table 2: Conditions on Exports for Disposal or Recycling**

| <b>Condition</b>           | <b>Description</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Issues</b>              | provided to the Canada Border Services Agency.<br><br>The appropriate safety mark must be displayed on shipments of hazardous waste or hazardous recyclable material, in accordance with the TDGR.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Authorized Facility</b> | Where a hazardous waste or hazardous recyclable material has been exported out of Canada and subjected to operations D13, D14, or D17 of Schedule 1 or R12, R13, or R16 of Schedule 2 of the Regulations, the waste or material must be disposed of or recycled at an authorized facility included in the notification (in accordance with paragraph 8(v) of the Regulations) using an operation other than D13, D14, D17, R12, R13, or R16. In the case of interim operations, the disposal or recycling operation must be completed within 180 days after the date on which the hazardous waste or hazardous recyclable material was accepted by the authorized facility. In the case of final operations, the period of time allowed for completing the disposal or recycling operation is 1 year after the date on which the hazardous waste or hazardous recyclable material was accepted by the authorized facility. |

## **9.2 Imports**

### **9.2.1 Where the Waste or Material May be Imported**

An importer may only import hazardous waste or hazardous recyclable material from countries that are party to the Basel Convention, the Canada-USA Agreement, or subject to OECD Decision C(2001)107/Final.

### **9.2.2 What May Be Imported**

The Regulations set out the conditions for the import of hazardous waste and hazardous recyclable material.

Some substances that fall within the Regulations' definition of hazardous waste or hazardous recyclable material may be prohibited from import by other Canadian laws and, therefore, cannot be imported under the Regulations. Other substances have additional conditions placed on them by the Regulations. For example, biomedical waste, as defined by the Regulations, and infectious substances, as set out in the TDGR, may be imported only for disposal.

### **9.2.3 Who May Import**

In order to obtain an import permit, a person must meet the conditions of what constitutes an importer, as set out in the Regulations.

An importer must be a resident of Canada or, in the case of a corporation, have a place of business in Canada. The importer must also

- be the owner or operator of a facility to which the waste or material will be imported, or
- buy or sell hazardous recyclable material for the purposes of recycling.<sup>4</sup>

### **9.2.4 DND Exemption**

The Regulations exempt the DND from the conditions for importing hazardous waste and hazardous recyclable material (specified in sections 16 to 21 of the Regulations).

The stipulations governing this exemption are that

- the hazardous waste must be generated by DND in the course of an operation it conducted outside of Canada,
- the hazardous waste must be transported from the site of operation to a defence establishment defined in section 2 of the *National Defence Act*, and
- the hazardous waste must be under the authority of the Minister of National Defence.

### **9.2.5 Permits**

An import permit will be issued by the Minister only after prior informed consent has been obtained from the authorities of the countries of transit and the provincial authorities of destination, in accordance with section 185 of CEPA.

The conditions that must be met are specified in both the Regulations and the import permit. They are as follows:

- the hazardous waste or hazardous recyclable material must be transported by the authorized carriers named in the import permit
- the waste or material must be imported through the ports of entry named in the import permit
- the quantity of waste or material exported cannot exceed the quantity set out in the import permit

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<sup>4</sup> Note that this is not limited to imports from OECD member countries. In the case of recyclable material, a broker may, therefore, act as the importer. The broker must identify the receiving site in the notice and include a contract with the site as part of the notification.

- the waste must be disposed of or the material recycled at the authorized facility named in the import permit, using the disposal or recycling operation set out in the import permit
- the waste or recyclable must be shipped within the valid dates of the permit
- the permit identifies the waste or material that may be shipped

This information is similar to that required for notification. A Canadian importer may notify Environment and Climate Change Canada with his or her plans to import hazardous waste or hazardous recyclable material, but it is only after a rigorous approval process that a permit will be issued indicating what may be imported and how the import must be carried out.

In addition to meeting the requirements of the import permit, the Canadian importer or authorized carrier must ensure that copies of both the permit and movement document accompany the waste or material and are provided to the CBSA.

Shipments of hazardous waste or hazardous recyclable material may be subject to other local, provincial, national, or international laws, regulations, and agreements. The provisions of the Regulations do not override or replace any other current federal or international laws, regulations, or agreements concerning the transportation of dangerous goods under which any given shipment of hazardous waste or hazardous recyclable material may be controlled.

It is important to note that most of the waste and recyclable material subject to the Regulations may also be subject to the TDGR. Canadian importers and authorized carriers must comply with the applicable requirements of the TDGR.

#### **9.2.6 Time Limits**

The following disposal and recycling operations set out in the Regulations are interim operations that may take place prior to final disposal or recycling:

- D14, D14, or D17
- R12, R13, or R16

The authorized facility performing these interim operations has 180 days to complete these interim disposal or recycling operations, after which time the waste or material must undergo final disposal or recycling.

The authorized facility performing final disposal or final recycling operations has one year to complete those operations. If the jurisdictional authority requires final disposal or recycling to be completed within a shorter time frame, the authorized facility must comply with this requirement.

Within 30 days after the date on which the final disposal or recycling took place, the Canadian importer must provide the Minister with written confirmation that the operation has been completed. There is no prescribed form for this confirmation.

### **9.2.7 Refusal of Shipments**

Section 186 of CEPA prohibits the abandonment of any waste or material for which a permit has been issued.

Paragraph 16(o) and 16(p) of the Regulations sets out the conditions that must be followed when

- alternate arrangements are undertaken to dispose of the waste or recycle the material, or
- the waste or material is returned to the original country of export (see Section 11 of this Guide).

Paragraph 16(o) applies in circumstances where the shipment is imported but is not accepted by the authorized facility named in the import permit, or where the authorized facility cannot, or refuses to, dispose of the waste or recycle the material in accordance with the permit. In these cases, the Canadian importer must:

- immediately notify the Minister (through the WRMD) and the foreign exporter that the shipment cannot be accepted, and explain the reason for non-acceptance;
- ensure that the waste or material is stored in an authorized alternate facility if it cannot be safely stored at the importer's site (this may be necessary if the importer's site is not authorized by the jurisdiction to store the material until alternate arrangements have been made); and
- within 90 days after the Minister was notified or within any other period of time that is agreed to by the Minister and the competent authority of the country of export,
  - make all necessary arrangements to dispose of the hazardous waste or recycle the hazardous recyclable material in Canada at an authorized facility other than the one named in the import permit, and provide the Minister with the name and address of and the name of a contact person for, that authorized facility ; or
  - return the waste or recyclable material to the facility from which it was imported, in accordance with the return conditions.

Paragraph 16(p) applies in circumstances where the hazardous waste or hazardous recyclable material is imported in accordance with the import permit but the Minister notifies the importer that the Minister does not accept it. In these cases, the importer must:

- immediately notify the foreign exporter of the situation and the reason for it;
- if necessary, store the hazardous waste or hazardous recyclable material in a facility that is identified for that purpose by the Minister;
- within 90 days after the day on which they receive the notification from the Minister or within any other period of time that is agreed to by the Minister and the competent authority of the country of export,
  - make all necessary arrangements to dispose of the hazardous waste or recycle the hazardous recyclable material in Canada at an authorized facility other than the one named in the import permit and provide the Minister with the name and address of, and the name of a contact person for, that authorized facility; or
  - in accordance with section 35, return the hazardous waste or hazardous recyclable material to the facility from which it was imported.

When alternative arrangements are made, before shipping the hazardous waste or hazardous recyclable material to the other authorized facility, the Canadian importer must receive written confirmation from the Minister that the authorities of the jurisdiction in which the authorized facility is located have approved its disposal or recycling at that other authorized facility

#### **9.2.8 Movement Document**

Before the import may begin, the Canadian importer must provide the foreign exporter with a copy of the movement document and import permit. In accordance with the contract, the foreign exporter must complete and sign Part A of the movement document and provide it and a copy of the import permit to the first authorized carrier. If the waste or material is not regulated as hazardous in the foreign jurisdiction, the importer may, in accordance with the contract, sign Part A on behalf of the foreign exporter.

The first authorized carrier must complete and sign Part B of the movement document and provide a copy to the foreign exporter. The shipment may then proceed.

The foreign exporter must provide the Canadian importer with a copy of the movement document, with Parts A and B completed, at the commencement of the shipment. The Canadian importer has three working days after the date on which the waste or material was shipped to submit a copy of the movement document, with Parts A and B completed, to the Minister and, if required, the provincial authority.

A copy of the movement document and permit must also be provided to Canada Border Services Agency by the Canadian importer or authorized carrier. The Canadian importer must complete Part C of the movement document upon receipt of the shipment.

The importer has three working days after the date on which the delivery was received to provide the movement document, with Parts A, B, and C completed, to the Minister and, if required, the provincial authority.

The following table summarizes the import conditions set out in Part 3 of the Regulations.

| <b>Table 3: Conditions on Imports for Disposal or Recycling</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Condition</b>                                                | <b>Description</b>                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Applicability</b>                                            | All imports of hazardous waste or hazardous recyclable material into Canada destined for disposal or recycling operations.                                                                                                                                                                                                                                                                                                                                   |
| <b>General Conditions</b>                                       | <p>The exporting country is a party to the Basel Convention, the Canada-USA Agreement, or subject to OECD Decision C(2001)107/Final, and the export is not prohibited by that country.</p> <p>The import is not prohibited under Canadian law, nor is its movement prohibited by any countries of transit.</p> <p>Biomedical waste, as defined by the Regulations, or infectious substances, as set out by the TDGR, may be imported only for disposal.</p>  |
| <b>Importers</b>                                                | <p>The importer must be a resident of Canada or, in the case of a corporation, have a place of business in Canada, and</p> <ul style="list-style-type: none"> <li>• be the owner or operator of the facility to which the hazardous waste or hazardous recyclable material will be imported, or</li> <li>• buy or sell hazardous recyclable material for the purposes of recycling.</li> </ul>                                                               |
| <b>Insurance</b>                                                | The Canadian importer and authorized carriers must be insured (see section 37 of the Regulations).                                                                                                                                                                                                                                                                                                                                                           |
| <b>Contracts</b>                                                | <p>There is a signed, written contract between the Canadian importer, foreign exporter, and the authorized facilities containing</p> <ul style="list-style-type: none"> <li>• a description (including the quantity) of the hazardous waste or hazardous recyclable material to be imported,</li> <li>• the code and description of the proposed disposal or recycling operation as defined in Schedule 1 or 2, respectively, of the Regulations,</li> </ul> |

**Table 3: Conditions on Imports for Disposal or Recycling**

| Condition                  | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                            | <ul style="list-style-type: none"> <li>• a requirement that the foreign exporter send a copy of the movement document to the Canadian importer once Part A and B have been completed and the hazardous waste or hazardous recyclable material has been shipped, and</li> <li>• a statement that, if the waste or material is accepted but disposal or recycling cannot occur, the foreign exporter will help the Canadian importer fulfill his or her obligations under the Regulations.</li> </ul>                                                                                                                                                                                                                |
| <b>Permit</b>              | <p>No shipment can proceed unless the Minister is notified and an import permit is issued. Under the Regulations, notification serves as the application for the permit.</p> <p>The conditions that must be met are set out in both the Regulations and the import permit.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Movement Document</b>   | <p>The notice number and line-item number of the hazardous waste or hazardous recyclable material must appear on the movement document. The foreign exporter must fill out Part A of the movement document, the authorized carrier Part B, and the Canadian importer Part C.</p> <p>The Canadian importer and every authorized carrier must keep a copy of the movement document at their principal place of business for a period of three years after the date of import.</p>                                                                                                                                                                                                                                    |
| <b>Transport Issues</b>    | <p>Copies of the movement document and import permit issued by Environment and Climate Change Canada must be provided to the Canada Border Services Agency.</p> <p>The appropriate safety mark must be displayed on shipments of hazardous waste or hazardous recyclable material in accordance with the TDGR.</p>                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Authorized Facility</b> | <p>Where a hazardous waste or hazardous recyclable material has been imported into Canada and subjected to operations D13, D14, or D17 of Schedule 1 or R12, R13, or R16 of Schedule 2 of the Regulations the waste or material must be disposed of or recycled at an authorized facility (included in the notification in accordance with section 8(v) of the Regulations) using an operation other than D13, D14, D17, R12, R13, or R16. In the case of interim operations, the disposal or recycling operation must be completed within 180 days after the date on which the hazardous waste or hazardous recyclable material was accepted by the authorized facility. In the case of final operations, the</p> |

**Table 3: Conditions on Imports for Disposal or Recycling**

| Condition | Description                                                                                                                                                                                               |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|           | period of time allowed for completing the disposal or recycling operation is 1 year after the date on which the hazardous waste or hazardous recyclable material was accepted by the authorized facility. |

### **9.3 Transits**

#### **9.3.1 What Constitutes a Transit**

There are two types of transits that may occur under CEPA and the Regulations:

- a transit through Canada (e.g., hazardous waste going from Alaska to Seattle through British Columbia, or hazardous recyclable material going from France to the USA through Canada)
- a transit through a country other than Canada (e.g., from Alberta through the United States to southwestern Ontario)

A transit is basically the import of hazardous waste or hazardous recyclable material into Canada and the subsequent export of the waste or material from Canada, or vice versa, without any disposal or recycling operation happening in the transit country.

#### **9.3.2 What May Be Conveyed in Transit**

The Regulations set out the conditions for the transit of hazardous waste and hazardous recyclable material.

Some substances considered hazardous waste or hazardous recyclable material under the Regulations may be prohibited from import, export, or transit by other Canadian laws and, therefore, cannot be conveyed in transit under the Regulations.

#### **9.3.3 Permits**

A transit permit will be issued by the Minister only after prior informed consent has been obtained from the authorities of the countries of transit, in accordance with section 185 of CEPA.

The conditions that must be met are specified in both the Regulations and the transit permit. They are as follows:

- the hazardous waste or hazardous recyclable material must be transported by the authorized carriers named in the transit permit

- the waste or material must be exported through the ports of exit and entry named in the transit permit
- the quantity of waste or material exported cannot exceed the quantity set out in the transit permit
- the waste or recyclable must transit within the valid dates of the permit
- the permit identifies the waste or material that may be conveyed in transit.

In addition to meeting the requirements of the transit permit, the Canadian exporter or foreign exporter must ensure that copies of both the permit and movement document accompany the waste or material, and are provided to the Canada Border Services Agency.

Shipments of hazardous waste or hazardous recyclable material may be subject to other local, provincial, national, or international laws, regulations, and agreements. The provisions of the Regulations do not override or replace any other current federal or international laws, regulations, or agreements concerning the transportation of dangerous goods under which any given shipment of hazardous waste or hazardous recyclable material may be controlled.

It is important to note that most of the waste and recyclable material subject to the Regulations may also be subject to the TDGR. Exporters and authorized carriers must comply with the applicable requirements of the TDGR.

#### **9.3.4 Movement Document**

**For transit through Canada:** Before the transit may begin, the first authorized carrier must ensure that the foreign exporter has completed and signed Part A of the movement document. The first authorized carrier must complete and sign Part B of the movement document and provide a copy to the foreign exporter. The shipment may then proceed.

The authorized carrier has three working days after the date on which the waste or material exited Canada to provide a copy of the movement document, with Parts A and B completed, to the Minister and, if required, the provincial authority. The carrier must also provide a copy of the movement document and transit permit to the Canada Border Services Agency.

**For transit through a country other than Canada:** Before the shipment may begin, the Canadian exporter must complete and sign Part A of the movement document and provide it and a copy of the transit permit to the first authorized carrier. The first authorized carrier must complete and sign Part B of the movement document and provide a copy to the Canadian exporter.

The Canadian exporter has three working days after the date on which the waste or recyclable material was shipped to provide a copy of the movement document, with Parts A and B completed, to the Minister and, if required, the provincial

authority. The Canadian exporter or the authorized carrier must also provide a copy of the movement document and permit to the Canada Border Services Agency.

The Canadian importer must complete Part C of the movement document, and has three working days after the date on which the delivery was received to provide the movement document, with Parts A, B, and C completed, to the Minister and, if required, the provincial authority.

The following table summarizes the transit conditions set out in Part 4 of the Regulations.

| <b>Table 4: Transits for Disposal or Recycling</b> |                                                                                                                                                                                                                                                                                                                  |
|----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Condition</b>                                   | <b>Description</b>                                                                                                                                                                                                                                                                                               |
| <b>Applicability</b>                               | All hazardous waste and hazardous recyclable material that are being conveyed in transit through Canada or through a country other than Canada.                                                                                                                                                                  |
| <b>General Conditions</b>                          | The export or import is not prohibited under Canadian law, nor does the country of transit object to the transit through its territory.                                                                                                                                                                          |
| <b>Insurance</b>                                   | In the case of a transit through Canada, the authorized carrier must be insured; for transits through a country other than Canada, the Canadian exporter and the authorized carrier must be insured (see section 37 of the Regulations).                                                                         |
| <b>Permit</b>                                      | <p>No shipment can proceed unless the Minister is notified and a transit permit is issued. Under the Regulations, notification serves as the application for the permit.</p> <p>The conditions that must be met are set out in both the Regulations and the permit.</p>                                          |
| <b>Movement Document</b>                           | The notice number and line-item number of the hazardous waste or hazardous recyclable material must appear on the movement document. The exporter (Canadian or foreign) must fill out Part A of the movement document, the authorized carrier Part B, and (if applicable) the Canadian importer Part C.          |
| <b>Transport Issues</b>                            | <p>Copies of the movement document and transit permit issued by Environment and Climate Change Canada must be provided to Canada Border Services Agency.</p> <p>The appropriate safety mark must be displayed on shipments of hazardous waste or hazardous recyclable material, in accordance with the TDGR.</p> |

## **10.0 Movement Document**

### **10.1 What Is the Movement Document?**

The movement document is a form that provides detailed information on the types and amounts of hazardous waste or hazardous recyclable material being shipped, a record of the various firms or individuals involved in the shipment, and information on the treatment, storage, and disposal of the waste or recyclable material when they reach their final destination.

The document is made up of three separate parts, and has six copies. These copies are intended to make it easier for all parties involved in the movement to meet the necessary completion and distribution requirements. The movement document is found in Schedule 9 of the Regulations).

### **10.2 When Must the Movement Document Be Used?**

Canada's international agreements require that the waste or material be accompanied by a movement document from the time it is shipped to the time it is received.

The movement document serves the needs of both the federal, provincial and territorial governments with respect to the tracking of hazardous waste and hazardous recyclable material.

Requirements for the distribution of copies of the movement document may differ among various provincial and territorial jurisdictions. For example, some require an original, signed movement document, while for others a copy is sufficient.

Movement documents may also be required by some jurisdictions for waste other than hazardous waste and hazardous recyclable material. Exporters, importers, and carriers are encouraged to contact the appropriate jurisdictions to determine provincial and territorial requirements.

### **10.3 Who Must Complete the Movement Document?**

The movement document is made up of three separate parts:

- Part A must be completed by the Canadian exporter or foreign exporter of the hazardous waste or hazardous recyclable material
- Part B must be completed by the authorized carrier of the hazardous waste or hazardous recyclable material
- Part C must be completed by the Canadian importer or foreign receiver of the hazardous waste or hazardous recyclable material

For tracking purposes, in an international shipment of hazardous waste or hazardous recyclable material, the person who exports acts as the consignor and the person who imports acts as the consignee. Individuals completing the movement document must print clearly and press firmly.

#### **10.4 What Are the Requirements When Importing, Exporting, or Transiting Hazardous Waste or Hazardous Recyclable Material?**

The Basel Convention, which Canada ratified in August 1992, prohibits the shipment of hazardous waste and hazardous recyclable material across international borders without prior notification and approval.

International shipments of waste or recyclable material that come to, pass through, or go out of Canada are subject to the requirements of the Regulations. The Regulations, made pursuant to CEPA, contain a number of documentation requirements, including the use of a movement document.

Individuals or corporations wishing to transport hazardous waste or hazardous recyclable material for import into, export from, or transit through Canada (or from Canada, transiting through the United States of America (US), and back into Canada) should contact the appropriate authority for international shipments. Knowledge of the requirements that must be met reduces the risk of shipments of hazardous waste or hazardous recyclable material being held up or rejected at a border crossing.

#### **10.5 Responsibilities Associated with the Movement Document**

##### ***10.5.1 International Shipments***

##### ***Responsibilities of the Canadian Exporter and the Foreign Exporter***

The Canadian exporter is responsible for ensuring that copies of the movement document are properly completed and distributed to the foreign receiver, to the appropriate authorities (Environment and Climate Change Canada and the province or territory of origin) and to the authorized carrier.

- The Canadian exporter or foreign exporter completes Part A of the movement document.
- The Canadian exporter or foreign exporter detaches Copy 1. The Canadian exporter sends it (or a copy) to the Minister and, if required, to the appropriate authority of the province or territory of origin.
- The Canadian exporter or foreign exporter retains Copy 2.

##### ***Responsibilities of the Carrier***

- The authorized carrier completes Part B.

- The carrier carries the remaining four copies (copies 3, 4, 5, and 6) along with the shipment.
- Upon delivery of the shipment to the Canadian importer or foreign receiver, the carrier gives copies 3, 4, 5, and 6 to the Canadian importer's or foreign receiver's authorized representative.

### ***Responsibilities of the Canadian Importer and the Foreign Receiver***

The Canadian importer is responsible for ensuring that copies of the movement document are properly completed and distributed to the foreign exporter, to the appropriate authorities (Environment and Climate Change Canada and the province or territory of destination) and to the authorized carrier.

- The Canadian importer or foreign receiver completes Part C of the movement document.
- The Canadian importer sends Copy 3 (or a copy) to the Minister and, if they ask for it, to the appropriate authority in the province or territory of destination.
- The Canadian importer or foreign receiver also distributes copies 4 and 6 to the authorized carrier(s), and retains Copy 5.

### ***Multiple Carrier Form***

If more than one authorized carrier is utilized by the same Canadian exporter or foreign exporter for hazardous waste or hazardous recyclable material being sent in the same shipment to the same Canadian importer or foreign receiver, an additional document detailing the required information for the authorized carriers may be attached to the movement document. The person completing the additional document must ensure that it also contains the movement document reference number.

The above option is not available in jurisdictions where provincial or territorial legislation requires the use of additional movement documents when more than one authorized carrier is used for shipment into, out of, or through the jurisdiction.

If more than four types of hazardous waste from the same Canadian exporter or foreign exporter are to be sent in the same shipment, additional movement documents must be completed. The person completing the additional movement document must ensure that it contains the first movement document reference number.

## **10.6 Instructions for Completing Each Item on the Movement Document**

### **10.6.1 Part A. Generator/Consignor or Canadian Exporter/Foreign Exporter**

1. Identify the company name, provincial identification number or registration number, civic and mailing addresses, e-mail address, and telephone number of the generator/consignor or the Canadian exporter/foreign exporter and the address of the site from which the hazardous waste or hazardous recyclable material will be shipped.
2. Identify the company name, registration number or provincial identification number, civic and mailing addresses, e-mail address, and telephone number of the intended receiver/consignee or Canadian importer/foreign receiver, and the address of the site intended to receive the hazardous waste or hazardous recyclable material.
3. For each hazardous waste or hazardous recyclable material, identify the provincial code for the jurisdiction to which it is being shipped.
4. In accordance with the Transportation of Dangerous Goods Regulations (TDGR), identify the proper shipping name or description of each hazardous waste or hazardous recyclable material.
5. In accordance with the TDGR, identify the primary and subsidiary classes of each hazardous waste or hazardous recyclable material listed.
6. In accordance with the TDGR, identify the United Nations (UN) number for each hazardous waste or hazardous recyclable material listed.
7. In accordance with the TDGR, identify the packing group code (I great danger; II medium danger; III minor danger) or the category (A or B for infectious substances) for each hazardous waste or hazardous recyclable material listed.
8. Identify the quantity shipped (in kilogram or litre) and the units of measure for each hazardous waste or hazardous recyclable material listed.
9. Identify the number of packages shipped of each hazardous waste or hazardous recyclable material listed, and the type of packaging used, using the Int. Ext. Code: **01** drum; **02** tank; **03** bulk; **04** carton; **05** bag; **06** roll off or lugger; and **07** other.
10. Identify the physical state of each hazardous waste or hazardous recyclable material listed.

For international shipments, identify the LSPG Code (the code starts with "L" for liquids, "S" for solids, "P" for sludges and "G" for gases, and includes a number that identifies the generic type of potential hazardous waste or hazardous recyclable material). (Appendix 4 of the Guide to Classification)

**Note that elements 11 to 19 apply to international shipments only.**  
These information requirements match the hazardous waste and

hazardous recyclable material descriptions found on the corresponding permit.

11. Identify the notice number and notice-line number of each hazardous waste or hazardous recyclable material listed.
12. Identify the shipment number and total proposed number of shipments of each hazardous waste or hazardous recyclable material listed.
13. Identify the disposal (D) or recycling (R) code for the operation for which each hazardous waste or hazardous recyclable material listed is intended. (Appendix 2 of the Guide to Classification) (Appendix 3 of the Guide to Classification)
14. Identify the "C" code for the contaminants present in each hazardous waste or hazardous recyclable material listed. (Appendix 5 of the Guide to Classification)
15. Identify the Basel Annex VIII code, as set out in List A of Annex VIII of the Convention, or the OECD Code, as set out in Part II of Appendix 4 to Decision C(2001)107/Final (if different than Basel), for each hazardous waste and hazardous recyclable material listed. (Appendix 9 of the Guide to Classification)
16. Identify the "H" code for the potential hazardous characteristics of each hazardous waste or hazardous recyclable material listed. (Appendix 6 of the Guide to Classification)
17. Identify the "Y code" for the category of each hazardous waste or hazardous recyclable material listed. (Appendix 8 of the Guide to Classification)

#### **Annex I of the Basel Convention - Categories of Wastes to be Controlled**

- a. To facilitate the application of this Convention, and subject to paragraphs (b), (c), and (d), wastes listed in Annex VIII are characterized as hazardous pursuant to Article 1, paragraph 1 (a), of this Convention, and wastes listed in Annex IX are not covered by Article 1, paragraph 1 (a), of this Convention.
  - b. Designation of waste on Annex VIII does not preclude, in a particular case, the use of Annex III to demonstrate that the waste is not hazardous pursuant to Article 1, paragraph 1 (a), of this Convention.
  - c. Designation of waste on Annex IX does not preclude, in a particular case, characterization of such waste as hazardous pursuant to Article 1, paragraph 1 (a), of this Convention if it contains Annex I material to an extent causing it to exhibit an Annex III characteristic.
  - d. Annexes VIII and IX do not affect the application of Article 1, paragraph 1(a), of this Convention for the purpose of characterization of wastes.
18. Identify the national code of the country of export or import for each hazardous waste or hazardous recyclable material listed if applicable.
  19. Identify the customs code (from the World Customs Organization's Harmonized Commodity Description and Coding System) for each hazardous waste and hazardous recyclable material listed.

20. The generator/consignor or Canadian exporter/foreign exporter, or his authorized representative, must print his or her name and telephone number, and sign the form certifying that the information given in Part A is correct and complete.
21. Identify the time and date that the hazardous waste or hazardous recyclable material is shipped and its scheduled arrival date.
22. Identify any special handling and emergency instructions (e.g., "keep in shade", "drums are half full", "keep away from water", "call the emergency phone number listed for the province or territory in which the emergency or spill occurred").

#### **10.6.2 Part B. Carrier**

23. Identify the company name, provincial identification number or registration number, civic and mailing addresses, e-mail address, and telephone number of the carrier.
24. Identify the vehicle trailer license number and the province or territory of registration for each trailer or rail car being used to transport the hazardous waste or hazardous recyclable material.
25. For international shipments, identify the point of entry into Canada for imports or the point of exit out of Canada for exports. Transits require both the point of entry and point of exit.
26. The carrier's authorized representative shall print his or her name and telephone number, and sign the form certifying that the hazardous wastes or hazardous recyclable materials described in Part A have been received by the intended receiver/consignee or Canadian importer/foreign receiver.

#### **10.6.3 Part C. Receiver/Consignee or Canadian Importer/Foreign Receiver**

27. If other movement documents or manifests are used, identify their reference numbers.
28. Identify the company name, provincial identification number or registration number, civic and mailing addresses, e-mail address, and telephone number of the receiver/consignee or the importer/foreign receiver, and the address of the site receiving the hazardous waste or hazardous recyclable material, if different from that identified in box 2 of Part A.
29. Identify the date and time that the shipment of hazardous waste or hazardous recyclable material is delivered to the receiving site.
30. If the waste or recyclable material is to be transferred to a subsequent authorized facility for a final operation, identify that facility.
31. Identify the quantity (in kg or L) of and the units of measure used for each hazardous waste or hazardous recyclable material received.
32. For domestic shipments, if the quantity of hazardous waste or hazardous recyclable material or the number of small means of containment changes during transport, specify the reasons for the changes.

33. Identify the final handling method for each hazardous waste or hazardous recyclable material using one of the following codes:

**01** storage

**02** thermal treatment

**03** chemical treatment

**04** physical treatment

**05** biological treatment

**06** secure landfill

**07** recycling

**08** solidification

**09** other

34. For each hazardous waste or hazardous recyclable material listed, indicate whether or not the shipment was accepted or refused.

35. Identify whether the decontamination of packaging or the vehicle used for transport has been carried out for each hazardous waste or hazardous recyclable material listed, by writing "yes" or "no" in the appropriate column.

36. If the handling code identified is "09 other", specify how the hazardous waste or hazardous recyclable material is being handled.

37. The receiver/consignee's or the Canadian importer/foreign receiver's authorized representative shall print his or her name and telephone number, and sign the form certifying that the information given in Part C is correct and complete.

## **11.0 Summary of Conditions on Returns**

Under Part 7, Division 8 of CEPA, a new permit to export or import for the purposes of a return must be obtained in order to return hazardous waste or hazardous recyclable material that is refused or cannot be disposed of or recycled in accordance with the original import or export permit.

The provisions for returns set out in Part 5 of the Regulations are intended to facilitate returns of waste or recyclable material to either the exporting country and the original foreign exporter, or to Canada and the original Canadian exporter, as required under international agreements.

A simplified notification procedure for obtaining a new permit to export or import for the purposes of a return has been incorporated into the Regulations, given that contracts and consent already exist between the original parties.

Once the notification to return waste or recyclable material has been approved by the Minister, a permit is issued for the export or import for the purpose of a return. The return is destined to the facility from which the waste or recyclable material was initially shipped.

#### **11.1 Returns to Canada (Imports for the Purposes of a Return)**

If the hazardous waste or hazardous recyclable material is refused or if it cannot be disposed of or recycled in accordance with the export permit, the original Canadian exporter must make arrangements to

- import the hazardous waste or hazardous recyclable material back to the Canadian exporter at the facility set out in the original export permit from which it was shipped, in accordance with the return provisions set out in section 34 of the Regulations, or
- dispose of or recycle the waste or material at an alternate facility in the country where it was refused (the Canadian exporter must first receive confirmation from the Minister, by letter, that the alternate facility is authorized).

#### ***Notification Procedure***

In submitting a notification for a new import permit for the purposes of a return, the original Canadian exporter must advise the Minister of the following:

- the name, civic and mailing addresses, e-mail address, and contact person for the Canadian exporter, the foreign receiver, and any authorized carriers that were not named in the original export permit (verification of the authorization of such carriers must be completed before a return permit can be issued)
- the name and policy number of each insurance company, as required under Section 37 of the Regulations
- the quantity of hazardous waste or hazardous recyclable material that will be returned, using the same unit of measure as in the original export permit
- if the quantity being returned is less than the quantity that was originally exported, the reason for the difference
- the port of entry through which the return will take place, and the customs office at which the import of hazardous waste or hazardous recyclable material will be reported
- the notice number and line-item number, as noted in the original export permit, of the hazardous waste or hazardous recyclable material that is being returned to Canada.

### ***New Import Permit***

Once a new import permit has been received for the purposes of returning hazardous waste or hazardous recyclable material to Canada, the original Canadian exporter must

- return the waste or material to the facility from which it was originally exported, using the authorized carriers and the port of entry named in the new import permit,
- ensure that copies of the new import permit for the purposes of a return and the new movement document (with Parts A<sup>5</sup> and B completed, and clearly indicating that the waste or material is being returned to Canada),
  - accompany the waste or material, and
  - are provided to the customs office where the return is to be reported, and
- submit a completed copy of the new movement document to the Minister, to all authorized carriers involved, and to the authorities of the province of import, if they ask for it.

### **11.2 Returns to the Country of Export (Exports for the Purposes of a Return)**

If the hazardous waste or hazardous recyclable material is refused or if it cannot be disposed of or recycled in accordance with the import permit, the original Canadian importer must make arrangements to

- export the waste or material back to the foreign exporter at the facility set out in the original import permit from which it was shipped, in accordance with the return provisions set out in section 35 of the Regulations, or
- dispose of or recycle the waste or material at an alternate facility in Canada (the Canadian importer must first receive written confirmation from the Minister, by letter, that the alternate facility is authorized).

### ***Notification Procedure***

In submitting a notification for a new export permit for the purposes of a return, the original Canadian importer must advise the Minister of the following:

- the name, civic and mailing addresses, e-mail address, and contact person for the Canadian importer, the foreign exporter, and any authorized carriers that were not named in the original import permit (verification of the authorization of such carriers must be completed before a return permit can be issued),
- the name and policy number of each insurance company, as required under Section 37 of the Regulations,

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<sup>5</sup> Part A of the new import permit is to be completed by the foreign receiver.

- the quantity of hazardous waste or hazardous recyclable material that will be returned, using the same unit of measure as in the original import permit,
- if the quantity being returned is less than the quantity that was originally imported to Canada, the reason for the difference,
- the port of entry through which the return will take place and the customs office where the export of hazardous waste or hazardous recyclable material will be reported,
- the notice number and line-item number, as noted in the original import permit, of the hazardous waste or hazardous recyclable material that is being returned to the country of export.

### ***New Export Permit***

Once a new export permit has been issued for the purposes of returning hazardous waste or hazardous recyclable material to the foreign country from which it was exported, the original Canadian importer must

- return the waste or recyclable material to the foreign facility from which it was originally exported, using the authorized carriers and the port of exit named in the new export permit,
- ensure that copies of the new export permit for the purposes of return and the new movement document (with Parts A<sup>6</sup> and B completed, and clearly indicating that the waste or material is being returned to the foreign country of export),
  - accompany the waste or material, and
  - are provided to the customs office where the return is to be reported, and
- submit a copy of the completed movement document to the Minister, to all authorized carriers involved, and to the authorities of the province of export, if they ask for it.

**Table 5: Conditions for Returns**

| <b>Condition</b>     | <b>Description</b>                                                                                                                                                                                                             |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Applicability</b> | All returns of hazardous waste or hazardous recyclable material to Canada (after it has been exported from Canada under a permit) or to the foreign country of export (after it has been imported into Canada under a permit). |
| <b>Insurance</b>     | The Canadian exporter or Canadian importer (as the case may be) and all authorized carriers must be insured (see section 37 of the Regulations).                                                                               |
| <b>Permit</b>        | No return can proceed unless the Minister is notified and an export or import permit for the purposes of a return is issued. Under the Regulations, notification serves as the application for                                 |

<sup>6</sup> Part A of the new movement document must be completed by the Canadian importer.

| Table 5: Conditions for Returns |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Condition                       | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                                 | the return permit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Movement Document</b>        | <p>For each waste or recyclable material, the reference number of the notice and line-item number is on the movement document.</p> <p>Either the original foreign receiver (in the case of a new import permit for the purposes of return) or the original Canadian importer (in the case of a new export permit for the purposes of a return) must complete Part A of a new movement document. The authorized carriers must fill out Part B.</p> <p>The movement document and either the export or import permit for the purposes of a return, as the case may be, must accompany the hazardous waste or hazardous recyclable material during transport. Copies of these documents must also be provided to the appropriate customs office.</p> |

## 12.0 Confirmation of Disposal or Recycling

The Canadian importer or foreign receiver who accepts a shipment of hazardous waste or hazardous recyclable material is responsible for its disposal or recycling. Canada's international obligations specify the time frame within which this operation must take place, according to the type of operation.

### 12.1 Interim Disposal or Recycling Operations

Interim disposal or recycling operations that may take place prior to final disposal or recycling include

- D13, D14, or D17 from Schedule 1, and
- R12, R13, or R16 from Schedule 2.

The authorized facility (commonly known as the "transfer station") has 180 days to complete these interim operations.

### 12.2 Final Disposal or Recycling Operations

All other disposal or recycling operations (including those made following interim disposal or recycling) must be completed by the authorized facility within one year.

If the authority of the jurisdiction requires that the hazardous waste or material be disposed of or recycled within a shorter period of time, the authorized facility must comply with this requirement.

### **12.3 Confirmation of Disposal or Recycling**

Within 30 days after the completion of the disposal or recycling operation, a letter confirming that the operation has taken place in accordance with the export or import permit must be forwarded to Environment and Climate Change Canada by the Canadian exporter or importer. The letter must include the movement document reference number and the line-item number of the applicable hazardous waste or hazardous recyclable material. To assist in complying with this requirement of the regulations, Environment and Climate Change Canada has developed a Confirmation of Disposal or Recycling form.

### **13.0 Pre-Approved Facilities**

A pre-approved facility is one that has been approved in advance by the competent government authority to receive shipments of certain types of waste destined for recycling. Canadian facilities can contact [ec.notification.ec@canada.ca](mailto:ec.notification.ec@canada.ca) to get more information and may apply for pre-approval by submitting the following information (outlined in OECD Decision C(2001)107/Final) to Environment and Climate Change Canada's Waste Reduction and Management Division (WRMD):

#### Application for an Advance Approval of Authorized Facility

- the name and address of the facility
- the intended recycling operation
- the type of recyclable material to which the pre-approval applies
- the time period covered

This and any additional information required will be forwarded to the province in which the facility is located. The province may then grant approval for the facility to receive a certain quantity of a specific recyclable material over a given period of time. The same mechanism exists under the Regulations.

No export or import to a pre-approved facility may begin until a permit has been issued by the Minister.

### **14.0 Waste Export Reductions Plans**

Section 188(1) of CEPA provides the Minister with the authority to request an exporter or class of exporters of a type of hazardous waste for final disposal to submit and implement a plan for the purpose of reducing or phasing out the export of the waste.

Section 191(g) of CEPA takes into account the proximity or benefit of using the nearest appropriate disposal facility, and the increased production of goods responsible for generating the hazardous waste for disposal. The Regulations define the information to be included in such plans as follows:

- a. information with respect to the hazardous waste to which the plan applies, namely
  - i. the International Waste Identification Code (IWIC) as described in the Guide to Classification,
  - ii. the applicable code set out in List A of Annex VIII to the Basel Convention,
  - iii. the identification number set out in column 1 of Schedule 3, 4 or 7, and
  - iv. information set out in the applicable schedules to the Transportation of Dangerous Goods Regulations (TDGR) namely
    - A. the applicable United Nations (UN) number, set out in column 1 of Schedule 1 or column 5 of Schedule 3,
    - B. the applicable class, set out in column 3 of Schedule 1 or the primary class, set out in column 4 of Schedule 3, and
    - C. the applicable packing group and category, set out in column 4 of Schedule 1;
- b. the name, quantity, and concentration of any Persistent Organic Pollutants (POP) set out in column 2 of Schedule 10 that is contained in the hazardous waste referred to in the plan;
- c. if the exporter generates the hazardous waste referred to in the plan, the name and a description of the process that generated the waste, and the activity in which that process is used;
- d. the origin of the hazardous waste, if the exporter does not generate the waste referred to in the plan;
- e. the quantity of hazardous waste exported at the start of the implementation of the plan and the quantity of export reduction to be achieved at each stage of the plan;
- f. a description of the manner in which the exporter will reduce or phase out exports of the hazardous waste referred to in the plan;
- g. the options considered for reducing or phasing out the export of the hazardous waste referred to in the plan, including options for disposing of or recycling it in Canada;
- h. the stages of the plan and a schedule for implementing the plan; and
- i. for each stage of the plan, an estimate of the quantity of goods produced that generates the hazardous waste to which the plan applies, and a description of the impact of any changes to the quantity produced on the reduction or phasing out of exports of that waste.

Environment and Climate Change Canada will notify exporters directly if they are required to prepare an export-reduction plan for the waste destined for final disposal.

The export-reduction plan must be submitted before a permit to export will be granted. A copy of the plan must be kept at the exporter's principal place of business in Canada for a period of five years after the date on which the plan was submitted.

### **15.0 Refusal to Issue a Permit**

In accordance with Part 7, Division 8 of CEPA, the Minister may refuse to issue a permit to import, export, or transit hazardous waste or hazardous recyclable material if the Minister is of the opinion that the waste or material will not be managed in a manner that protects the environment and human health.

The Regulations set out the criteria under which the Minister would make this determination.

### **16.0 PELES**

Section 190 of CEPA authorizes the issuance of permits of equivalent level of environmental safety (PELES), which may be used to obtain a variance from the Regulations under specific conditions. Variances must be consistent under Canada's international obligations, and are issued on a case-by-case basis.

When requesting a PELES for this purpose, the following information should be provided:

- the name of the regulation and specific sections of the regulation from which the variance is being requested
- the applicant's complete contact information, including a Canadian address and the name of a contact person
- a description of the applicant's activities/procedures, in order to provide a clear picture of what happens during a transboundary movement of hazardous waste or hazardous recyclable material under various scenarios
- a description of the hazardous waste or hazardous recyclable material to be transited
- an explanation and justification of the mechanism or alternate activity the applicant plans to use to provide a level of environmental safety equivalent to that provided by the regulation.

Additional information can be obtained at:

Environment and Climate Change Canada

Public Inquiries Centre

7th Floor, Fontaine Building

200 Sacré-Coeur Boulevard

Gatineau QC K1A 0H3

Telephone: 1-800-668-6767 (in Canada only) or 819-997-2800

Email: [ec.enviroinfo.ec@canada.ca](mailto:ec.enviroinfo.ec@canada.ca)